

# Society gets the law it deserves

Ultimately, the law that gets upheld in a society is typically the law that resonates with it



WITHOUT CONTEMPT  
SOMASEKHAR SUNDARESAN

It is an extraordinary time that we live in. When last fortnight’s column was being written, onions and indicia of economic slowdown occupied the consciousness of business and industry. This fortnight, an extraordinary and unexpected outpouring of protests is spilling on to the streets of campuses — all over the country, some would say, while others would say only in 22 of 400 universities. If one were to consider a business equivalent of the citizenship amendment law, here is that it would be like. Picture legislation that would identify some

industries that have gone through hardship — say telecom, power and steel. Imagine saying fuel costs went haywire rendering the power sector unviable; interpretation of revenue sharing went haywire rendering telecom unviable; and cyclical pressures have rendered steel unviable. The citizenship amendment law picks only three countries — Pakistan, Bangladesh and Afghanistan. Also imagine saying industrialists have for decades worked hard under severe expropriatory tax rates — indeed, the effective tax rates in the Indira Gandhi regime has been worked out to be over 90 per cent. But imagine the law being silent about persecution and hardship faced due to such a horrendous fiscal regime, and yet being defended on the basis of such persecution. The citizenship amendment indeed does not have a whisper about religious persecution being the relevant factor in declaring illegal immigration as legal. Now, imagine an amendment to the law that provides for anyone engaged only in these three industries, having either stacked up wealth hitherto unaccounted for, or having serious dues owed

to the state, being excused from their legal obligations. The citizenship amendment law refers only to three countries from which illegal immigrants would no longer be regarded as illegal. Also imagine offenders not even born during the era of those horrible tax rates too getting included in the exemption from legal obligations. The citizenship amendment law draws the line at 2014 while it is being defended on the basis of persecution during partition in the 1940s. Indeed one can argue that those who suffered by paying taxes of 90 per cent-plus rates could not provide well for their offspring and the effect of the persecution cannot be limited to the 1970s. And then imagine arguing that the law is indeed constitutional and therefore good law. Indeed, multiple voluntary disclosure of income schemes, amnesty schemes for black money, and other benign means of coming clean with a dip in the Ganges have indeed been held to be constitutional. Of course, in the mid-1990s, the then United Front government promised the Supreme Court that there would be no more such cleansing of unaccounted wealth. But equally, it is a

principle of law that there can be no “estoppel” in matters of fiscal legislation. In layman terms, the sovereign power to make laws cannot be curtailed by promises not to make a certain laws — the only challenge can be on constitutional validity and on no other ground. What is constitutionally valid is a question to be answered by the judiciary — with a reasonable mind’s reasoning. This can lead to multiple outcomes depending on whose mind is being applied. In the United States, President Donald Trump’s executive order banning travellers from specific Muslim countries was held by some judges to be unconstitutional and others to be valid. The former took into account the Trump’s election campaign speeches making an unconstitutional promise of a ban on entry from Muslim countries. The US Presidents’ law officers defended the law arguing that judges must not look to his speeches at all, and should stick to the language of the law. The US Supreme Court agreed with that line of argument — although it must be said that Trump added some ornamental non-Muslim countries in a revised ban order, to win

the constitutional battle. In India, the citizenship amendment law is silent on “religious persecution”. What is “good law” (constitutionally valid) and what is fair and reasonable law (from the perspective of universal acceptability) can be two completely different things. Again, in the United States, a constitution guaranteeing equality of all human beings was held to be consistent with a robust legal framework to enforce slavery — the ownership of, and trade in, human beings. In India, those in business and industry have a strong tendency to seek refuge in nationalism. A comparison of how the citizenship amendment would play out if it were to be embraced in the field of business, would be instructive. When multiple buttons get pushed all at once - religious differentiation versus linguistic differentiation; asylum law versus citizenship law; era of partition versus era of politics after seven decades — the churn of the manthan should hopefully lead to serious thought. Ultimately, the law that gets upheld in a society is typically the law that resonates with it. Unpopular social reform is easier to implement when it is forced by a patronising external colonial power — for example, the ban on sati. In a democracy we get the laws we truly deserve.

The author is an advocate and independent counsel. Tweets @SomasekharS

## CHINESE WHISPERS

### Adityanath's Achilles heel



While Uttar Pradesh Chief Minister Adityanath (pictured) is seen as among the most sought after Bharatiya Janata Party (BJP) leaders

for campaigning in other states, he has drawn flak for apparently failing to detect and diffuse discontentment brewing in his own backyard. Even as the unprecedented sit-in by the ruling BJP legislators in the Vidhan Sabha on Tuesday protesting alleged harassment by police and district officials was widely reported in the media, another party MLA, Shyam Prakash, took to social media to suggest the formation of an employees’ union-style body for legislators. He also alleged widespread public corruption in the state under the current dispensation and rued that legislators were hapless under such circumstances. Taking note, Adityanath has arranged to meet all his party MLAs in batches of 40 to settle the matter once and for all.

### Home remedy

The negative publicity following Sunday’s crackdown by Delhi Police on students of Jamia Millia Islamia protesting the Citizenship Amendment Act has left the force fighting a perception battle. To contain the PR damage, the top brass of the police is now looking at current and former officers to act as emissaries. These are officers who have had some connection with Jamia or Aligarh Muslim University in the past. This list may have alumni of the two universities or those who enjoyed a good rapport with faculty and students. Sources said that these officers would “explain the police’s viewpoint, allay fears and provide clarification on misinformation”. Among the prominent names on this list is an AGMUT officer who has headed the southeast district in the past and is now serving in a cadre state but on deputation in Delhi.

### Reason to celebrate

Amid the news of protests over the National Register for Citizenship (NRC) and the Citizenship Amendment Act (CAA), a bunch of people in Kolkata found reason to celebrate. Worried that they didn’t have valid marriage documents, 15 couples took part in a mass remarriage ceremony to obtain marriage certificates. Some of them were well into their 50s and 60s and were “officially” wed before their children and grandchildren. The organiser of the event later said that while couples paid scant attention to documenting their marriages earlier, now, thanks to the “confusion” surrounding NRC and CAA, there is a mad rush to secure all documents that can save people from future legal hassles. In view of its “success”, the organisers are planning to conduct more such events.

# The high cost of low tariff

In the absence of a common ground between large and small steelmakers, India has turned into a dumping ground for low quality and radioactive aluminium scrap

KUNAL BOSE

In the slugfest between the country’s three primary aluminium makers – Vedanta, Hindalco and the National Aluminium Company – and the large number of small and medium secondary metal producers over what ideally should be the import duty on scrap, the government is unwittingly caught in the middle. By now, it has become a ritual ahead of the presentation of the Union Budget for the two contestant groups to demand steep duty hike or further easing of scrap imports depending on where each stands in the two-tier industry where the government as the arbiter has not yet been able to find any common ground. New Delhi has, therefore, thought it wise to leave the customs duty on aluminium scrap at a low 2.5 per cent. It, however, tinkered with import levy on primary aluminium and aluminium products the way big boys of the industry—that is, the integrated producers— wanted. Aluminium recyclers are happy that scrap is spared any extra customs duty burden. In the prevailing environment favouring unrestrained imports of scrap from multiple sources, the integrated producers, who among them have built smelting capacity of 4.1 million tonnes (mt) and most of that in bauxite and

non-coking coal rich Odisha, take exception on three counts. First, according to them, it is “logic defying” that of all non-ferrous metals, including copper, zinc, lead and nickel, it is only aluminium for which there is import duty variance. Second, as a primary producer group official says: “The global trading environment in aluminium scrap, triggered by China rapidly scaling down imports before it finally puts a ban is changing radically. Angered by Donald Trump’s trade actions, Beijing has put a whopping duty of 25 per cent on scrap imports from the US. This has led edgy American traders to push as much scrap as possible into India, taking advantage of our low duty and big appetite for the material.” Post Chinese punitive duty, the US stepped up scrap exports to India by 149 per cent to 259,000 tonnes in 2018-19. Again during April to October 2019, our scrap imports from the US further advanced 50 per cent to 190,000 tonnes. Third, in the absence of official standards and proper checks at entry points, the country gets all kinds of aluminium scrap, including some with lead content and also containing traces of radioactive properties. When such impure scrap is recycled into secondary metal and products such as consumer durables and



## DUMPING GROUND

US scrap imports into India

■ 259,000 tonnes: 2018–19

This is 149 per cent increase over previous year

■ 190,000 tonnes: Apr to Oct 2019

■ 4 mt: Aluminium consumption annually

■ Metal demand growing at 8 to 9 per cent annually

utensils are made from that aluminium, their use cannot but affect human health and cause damage to the environment. A nagging problem with the country’s electricity sector is transmission and distribution (T&D) loss amounting to around 20 per cent of power generation. T&D loss here is more than twice the world average and nearly three times as large as in the US. A major reason for the loss is the use of wires made from indifferent quality recycled secondary aluminium. Below average performances of electrical appliances are also due to the same reason. The Chinese market shrinking on government order and India where close to 4 mt of aluminium is consumed a year and where the demand for the metal is growing at an annual rate of 8 to 9 per cent, it is a given that exporters of aluminium scrap will target this country for disposal of what cannot be any longer sold in the world’s second largest econ-

omy. But when so much holds against the imported feedstock for secondary aluminium makers, what it is that stops the government from reining in inflow of foreign origin scrap by aligning the import duty on it with the rates obtaining for primary aluminium at 7.5 per cent and 10 per cent on downstream aluminium products? One sure way to staunch inundation of our market by exporters of scrap based in the US, West Asia, the UK and Australia is to raise the duty barrier. But New Delhi is possibly restrained from exercising the option due to pleas of secondary producers that in the absence of an infrastructure in the country to collect, segregate and bale scrap for recycling, their existence is linked to the imported stuff. Secondary producers also argue that they being participants of the circular economy, they are recycling metal by only using 5 per cent of the energy required for primary smelting of aluminium. Moreover, to the extent the metal is recycled, the country can leave the required bauxite and coal beneath the earth’s surface. Their defence for low customs duty is primarily built on the pivot of environment care. Till such time as an efficient infrastructure is in place facilitating large-scale collection of indigenous aluminium scrap for use by the secondary sector, the government is unlikely to entertain primary producers’ demand for higher duty on scrap imports.

## TICKER

# The populists march on



MIHIR SHARMA

The wholesale defeat of the Labour Party in Britain’s general elections is unprecedented in scale. The party has won the fewest seats of any election since the 1930s — during a period when, in fact, the party itself had split into two. Worse, it has lost seats to Prime Minister Boris Johnson’s Conservatives even in areas which have been Labour strongholds for decades, and where the cultural resistance to voting Tory seemed, in the past, insurmountable. Appropriately, among the seats lost to the Conservatives in the formerly industrial north of England is Sedgefield — which was, for his entire career, former prime minister Tony Blair’s seat. Nothing could better indicate the distance that Labour has travelled since Blair took the party to three successive election victories from 1997 on. The immediate consequence may be, of course, that Johnson’s Conservatives now have the mandate to take Britain quickly out of the European Union. This would be a secret relief to many in Europe who, while sad to see Britain go, are exasperated by how long the process of Brexit is taking and the degree to which it colonises time that Brussels would prefer to spend on reviving the continent’s economy. The size of his majority is, paradoxically, good news for those who fear the consequences of Brexit. Johnson now has enough of a par-

liamentary cushion that he has no reason to pander to the hardest Eurosceptics within the Tory party, and is additionally responsible to a large bloc of new Tory voters in the north of England who would be vulnerable to a no-deal exit from the European Union. Not every populist is identical, some are more careerist than ideologue — and he seems to be one of these, indicating that while Brexit is now unfortunately inevitable it may not be softer than was feared at points over the last year. But that is the extent of what can be hoped for. Other implications of this election result are very disquieting for the stability of the United Kingdom — which is, remember, the location of a financial centre vital to India Inc., as well as a significant investment and trade partner. The end of a Brexit crisis will precipitate others, in particular in Northern Ireland and Scotland. Unless a hard border is avoided in Northern Ireland, there is a real threat to the region’s decades of peace. Worse, Scotland and England are now on a collision course. England voted overwhelmingly for the Tories and to leave Europe; Scotland has given the pro-independence and pro-Europe Scottish National Party an even more comprehensive sweep. Scotland First Minister Nicola Sturgeon has already made it clear, in her remarks after her victory, that she views the Scottish mandate as an indication that its parliament does not need a UK prime minister’s “permission” to move towards independence. Johnson will do all in his power to block another independence referendum. Another constitutional crisis, along the lines of what has happened in Catalonia, is not out of the question. The larger question for observers of politics worldwide is where this result fits into the broader narrative about the upsurge in populism and right-wing nationalism. Stylistically, it ticks all the

boxes. A charismatic but essentially deceptive leader; a discredited social-democratic alternative alienated from its former working-class base for cultural reasons; a growing political divide between those more educated and those less; and the willingness to absorb economic pain in the service of nationalist or xenophobic reasons. Progressive politics has struggled to come to terms with these factors wherever they have emerged, whether in Britain, the United States, Turkey, Southeast Asia or India. Briefly it was hoped that a left-populism would somehow be potent enough to nullify the populism of the right; but the Corbyn experiment, in which the Labour Party gave itself over to a hard-left faction of enthusiasts, has failed spectacularly at overcoming the cultural divide. The simple fact is that there are no easy answer for progressives, whether in Europe, Asia or America. The few places where the centre-left has held its ground it does so tentatively, and with flawed but charismatic young leaders such as Justin Trudeau or Emmanuel Macron. Neither of these inspires enormous loyalty any more, but they are less unpopular than their main rivals, and can at least pretend to be unifying, optimistic and forward-looking figures. Places without such a figure — Germany, India — seem fated to see the centre-left move towards political extinction. What would be fatal, certainly, is to tell oneself lies about the popularity of one’s own political platform and positions. The creation of echo chambers online and the increasing self-segregation geographically of those with different opinions means that it is easy to convince yourself that a silent majority agrees with you. Most of the time, they don’t. For progressives, it can no longer be about “clever politics” or “mobilisation”. We have to move two steps back in the game, and go back to “persuasion”.

## LETTERS

### Don't just chase ratings

This refers to “The fires that Indian news television lit” (December 18). The author has rightly pointed out the pitfalls that the Indian television media currently faces and how the whole purpose of its existence is being defied. If a picture is worth a thousand words then going by McQuivey’s Forrester study, a video would be worth 1.8 million words. This explains why the reach of television is way more than that of newspapers. Despite the far-reaching impact the news channels can have, they are busy fostering hatred and negativity. In the past few years, the Indian economy has witnessed several changes on the political, economic, and social fronts. Good or bad, these changes have hardly been taken positively by the masses. Going by the developments following the passage of the Citizenship Amendment Act, it is facing flak from different parts of the country. The incidents of violence have traumatised the nation and raised a question mark over the role the news channels could have played by moderating the whole fiasco. Clearing the air of confusion by imparting education on the said matter could have sensitised people. These problems could have been avoided if the channels gave less importance to their ratings and to attracting sponsors. What direction a channel will take depends on who owns it, since the majority have affiliations to political parties, and that means the channels are no less than spokespersons. The suggestions offered by the author to fix the Indian news television problems can be fruitful only if implemented with sincere efforts  
Ankita Kalia Chandigarh

### Address real concerns

With students out on the streets in protest against the Citizenship Amendment Act (CAA), the best recourse available to the government at the Centre in a democracy is to engage



with them through talks. Violence has no place in a civilised society guided by liberal and democratic ethos and it needs to be condemned in the strongest terms. Any attempt to quell the protests by dubbing them as being orchestrated or politically motivated or through disproportionate use of force would do more harm than good to our standing as one of the most vibrant democracies of the world. The despicable trend of stifling dissent and calling the critics of the government anti-nationals is in dissonance with free and liberal values defining our democracy. However, the assertion by Prime Minister Narendra Modi that no vested interest group would be allowed to divide us and create disturbances is encouraging. It is time the Modi-led dispensation reaches out to the restive voices over CAA and addresses their legitimate concerns with all the seriousness it deserves.  
M Jeyaraman Chennai

## HAMBONE



### Open more fronts

The Bharatiya Janata Party (BJP) has had a very profitable outing since 2014, opening up fronts against the Congress party and Pakistan, as per its convenience. In the aftermath of the Citizenship Amendment Act, it has taken a new line by saying that both the Congress and Pakistan are talking the same language. However, Pakistan is yet to say a word. The BJP needs open more fronts rather than merge them especially when it has to juggle multiple scripts to divert attention from one adverse economic index or the other.  
R Narayanan Navi Mumbai

Letters can be mailed, faxed or e-mailed to: The Editor, Business Standard Nehru House, 4 Bahadur Shah Zafar Marg New Delhi 110 002 Fax: (011) 23720201 E-mail: letters@bsmail.in All letters must have a postal address and telephone number



## Setback for the Tatas

NCLAT judgment raises several questions

The National Company Law Appellate Tribunal's (NCLAT's) decision to reinstate Cyrus Mistry as chairman of Tata Sons and term illegal the appointment of N Chandrasekaran as his successor will undoubtedly cause ripples of uncertainty through the Tata empire and the broader corporate sector. The move to take Tata Sons private has also been declared illegal and reversed. Though the decision will be implemented after four weeks, giving time to the Tata group to contest it, the charges are serious: Oppression of minority shareholders (the Shapoorji Pallonji group is one of them), mismanagement at Tata Sons and undue haste in removal of Mr Mistry as chairman. If the NCLAT judgment is upheld by an appropriate forum, several critical decisions taken by the new management will come up for scrutiny.

It is clear from the NCLAT's judgment that much will have to change at Tata Sons. The Tata group has traditionally been held to represent the gold standard for Indian corporate governance, but the NCLAT's judgment reveals that there were instead severe problems within Tata Sons. It is a severe setback to the Tata group and to Ratan Tata personally, who has been asked by the tribunal to "desist" from interfering in the affairs of the group. Mr Mistry's complaint that directors left a board meeting midway in order to discuss issues with Mr Tata, and that he had to report on issues to the Tata Trusts separately instead of solely to the board of Tata Sons, factored into the NCLAT's decision. It is clear, therefore, that the Tata Trusts (and therefore Mr Tata) will have to properly and transparently manage their interest in Tata Sons in future. They will have to do something to address the allegation that the shareholding trusts of a holding company with minority holdings in operating companies take key decisions, not the chief executives or the boards of the operating companies. This is a manifestation, essentially, of the managing agency system that was abolished half a century ago. The Tata group's corporate structure is a similar opaque throwback, with two-thirds of Tata Sons' shares held by trusts, and must be modernised.

Broader questions about the appointment and removal of chairmen are thrown up by this decision as well. How can a chairman who has lost the confidence of the board and principal shareholders, for whatever reason, be allowed to continue? The Mistry group had alleged that the chairman was removed without any notice or explanation, making it illegal. But the fact also is that seven out of nine Tata Sons directors had voted in favour of Mr Mistry's removal. Hopefully, both the executive and the Supreme Court will deliberate carefully on the implications of the NCLAT judgment and make suitable changes as needed. The tribunal's observation that majority shareholder approval of a chairman's appointment is not enough and concurrence of the minority shareholder is necessary is also contentious. Questions must be asked about the implications of this judgment, unless overturned by the Supreme Court, for companies more generally. For example, the NCLAT insists that in spite of a notification and rules outlining a method for companies to go private without a tribunal order, the original requirements of such an order in the Companies Act, 2013, must be followed. The Union Ministry of Corporate Affairs had better clarify this uncertainty as soon as possible.

## Plug the gaps

Govt must address the glaring deficiencies of the Seed Bill

The draft Seed Bill, 2019, released by the agriculture ministry for public comments, has not gone down well with the farmers or the seed industry, though it is broadly aimed at protecting the interests of both. One of the major sore points in the mooted law that would replace the outworn Seed Act, 1966, is the absence of an in-built mechanism for grievance redressal. In case of any failure or underperformance of the seeds, the affected farmers would have to seek compensation under the Consumer (Protection) Act, 1986. Not only farmers, the industry is also uneasy with this arrangement as the performance of seeds depends on several agro-climatic, agronomic and biological factors, apart from the quality parameters, which the consumer courts may be ill-equipped to gauge. In fact, the Plant Varieties and Farmers' Rights Protection Law, 2001, has far better provisions for this purpose, which have worked well to the satisfaction of both farmers and seed producers. The same needs to be incorporated into this Bill.

Another prickly issue is the powers given to the Union and state governments to cap the prices of registered (read patent-protected) seeds. Though the Bill lists the situations under which such a step can be taken, past experience shows that this provision is often misused for political gains. Such interventions are needless in the functioning of a sector comprising over 400 seed companies vying with one another for market share. Besides, retrograde measures like price control could prove counterproductive by discouraging fresh investment in the development of new and improved seeds. Already, some of the internationally acclaimed innovation-savvy multinational seed companies have left India for this reason.

This apart, the Bill seems to further complicate the legal framework governing the seed sector. Even now, this industry has to cope with at least eight different laws, policy pronouncements and official orders. The major ones among these are the Seed Act, 1966; the Protection of Plant Varieties and Farmers' Rights Act, 2001; the Essential Commodities Act, 1955; the Seed (control) Order, 1983; and the National Seed Policy, 2002. Instead of paring down this multiplicity of regulations, the proposed statute intends to exacerbate it by subjecting this sector to two more formidable laws — the Consumer Protection Act, 1986, and the Environment Protection Act, 1986. While the former is for settling disputes over the performance of the seeds, the latter is for granting permission for the registration of the genetically modified seeds for which a slot has been created in this Bill.

It's not that the Bill does not have some welcome features as well. It makes registration of seeds of all crop varieties (except the farmers' varieties) mandatory and specifies standards for this. Registration has also been made compulsory for all stakeholders in the seed sector, from producers to retailers. Interestingly, the Bill seeks to differentiate between the seed producers, processors and dealers for the purpose of licensing. And most importantly, it protects the farmers' rights to sow, exchange or even sell their farm-grown seed but without branding them. However, these plus-points would not be able to woo the much-needed private investment in this sector, unless the glaring deficiencies of the Seed Bill are addressed to the satisfaction of all the stakeholders, especially the farmers and the seed developers.

ILLUSTRATION: BINAY SINHA



## The 2020 Budget speech

The finance minister will present her first full Budget on February 1. This is the speech I wish to hear

“Mr Speaker, as I rise to present the Budget for 2020-21, I am first greatly mindful of the long-term destiny of our country. India has been one of the world's 10 best-performing economies in the last 25 years, and we can be for the next 25 years too. Without question, the current economic slowdown with growth under 5 per cent is the greatest concern of our government, and this Budget takes much further the steps underway to bring about a rapid, deep, and sustained recovery that will seed the sources of growth for the next 25 years. Second, I greatly miss the presence of my illustrious predecessor, Shri Arun Jaitley. Jaitley was admired across party-lines — he had the uncanny ability to bring out the best in people, and attract the very brightest to work with him, even those of a different ideological persuasion. So, third, in developing this Budget, my team and I have been inspired by Shri Jaitley. In the national interest, we have drawn on ideas far and wide, including from some of our critics. Finally, like Mark Twain, I apologise in advance for the length of this speech as I simply did not have the time to write a short one. I will start with a summary of eight measures to re-energise our economy.

1. Taxation: Tax proposals normally come in the last part of a Budget speech, but our stressed economy cannot afford suspense. I am making no changes for 2020 in either corporate or personal income taxes. But I am providing a timetable of reform, to move to a regime of lower tax rates with fewer exemptions. Following the landmark corporation tax announcements our government made in September, companies are in one of the three tax regimes — the erstwhile rate of 34 per cent with exemptions galore, 25 per cent without exemptions, or 17 per cent for new manufac-

turing companies. We have set out a timetable to converge all corporate taxes to a rate between 15 and 22 per cent by 2023 with no exemptions. It is my hope that revenue buoyancy will permit a rate at the lower end of that range.

2. Much as I would like to address personal income tax, reducing rates and eliminating exemptions and deductions, revenue considerations do not permit this at the present time. Here, too, we have set out a timetable to reduce income tax rates for all incomes below ₹50 lakh, and to progressively eliminate the surcharges on income above ₹50 lakh, by 2024. We will simultaneously eliminate the exemption of agricultural income from income tax for income beyond ₹50 lakh per annum.

3. Tax terrorism: The prime minister himself has often spoken of the scourge of tax terrorism in our country. I am putting in place legislation that decriminalises all financial offences except fraud. Imprisonment will only follow criminal conviction in a court of law — there can be no preventive arrests or look-out notices at the discretion of the tax authorities. Any tax raid will in future require the personal approval of the revenue secretary and be subject to periodic review by a cross-party parliamentary committee. Henceforth, no Indian should fear the taxman. It is time to fulfill our prime minister's vision.

4. The economy needs a serious infusion of liquidity. The largest debtor in the country is the government itself. We are creating a public portal to list all dues of the Centre, states and public-sector entities. The transparency this provides will bring in accountability. I am simultaneously requesting the 15th Finance Commission to include in its final report a plan to transition the country from cash to accrual



INDIA'S WORLD?

NAUSHAD FORBES

and even the due diligence of a credit score.

Instead what these fintech lenders do is build a profile and "trust" score based on analysing your personal data, which they demand as a pre-condition for loan approval. Once they receive full access to your digital life, they analyse the data on your phone — SMSes, mails, photos, contact list and then apply artificial intelligence (AI) and machine learning tools to create a customer profile. Based on this "trust score", it is determined how much can be lent, at what cost and for what period. For their customers, giving access to personal data and privacy concerns are a good trade-off to access loans, which otherwise they cannot access.

This type of lending is growing fast with enormous margins (think rates higher than credit card debt). Many such firms are not just lending directly but licensing their technology to commercial banks and non-banking financial companies, for whom fintech allows them to lower their know your customer costs to determine creditworthiness.

Search for fintech lending, and many success stories pop up. Tales of quick loans that paid for important life events or averted personal disasters abound. But search deeper, and there are equally harrowing tales of social embarrassment and familial stress when these loans turn sour. Operating outside banking industry safeguards, fintech lenders can go after errant customers using the only weapon they have — social embarrassment. By harassing a borrower's parents and other family members and ruining social reputations with people they may work with, fintech lenders'



THE NUTGRAF

PRADIPTA BAGCHI

The year ends with the reputation of banks and non-banking financial companies (NBFCs) in tatters. Even the Reserve Bank of India's (RBI's) cast iron image has been dented. Rocked by crisis, from blatant mismanagement (in the Jet Airways) to large-scale fraud (PMC Bank, DHFL) and outright capital destruction (Yes Bank, IndiaBulls), the sector has struggled to save its reputation.

Once again, the banks shot themselves in the foot, unsuccessfully fighting the Securities and Exchange Board of India (Sebi) for ownership rights to shares pledged fraudulently by Karvy — thereby, continuing to build a public narrative that banks were ever ready to be irresponsible — be it at the taxpayer's expense, the depositors' or retail investors'. From being perceived as economic victims weighed down by bad loans, the finance sector has emerged as the villain in 2019.

Bad decisions aside, 2020 will see new reputational dangers for the sector. While fintech has resulted in some meaningful breakthroughs and disruptions, for instance, new peer-to-peer standards like Unified Payments Interface (UPI) have transformed digital payments.

But fintech heroes come with a set of villains — such as the new breed of fintech lenders. These startups are thriving on delivering loans to customers, mainly millennials who are starting out in life with little or no credit histories and an appetite for loans. New types of loans, such as short-term (a day to a week) advance payments before salaries (payday lending) or similar bridge loans, are released without personal guarantees, collateral

to hundreds of millions in India. Stepping up the pace of enabling such access is key to India's development. Although JAM has a strong emphasis on financial inclusion,

two important dimensions of social development still lag in terms of use of technology. Education and health services have the most potential to use low-cost digital technology for targeted solutions but have been relatively slow to do so.

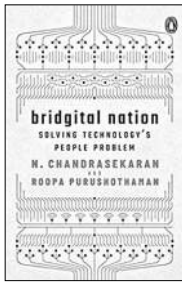
This book is about accelerating the approach the government has adopted and refining policies around it. "The future, if India is to harness, has to come from a mutually beneficial relationship between its citizens and new

applications of technology," the authors say. They underline the importance of an effort that is underway. Technology has to be deployed in India for creating unique

**BRIDGITAL NATION: Solving Technologies People Problem**

**Author:** N Chandrasekaran & Roopa Purushothaman  
**Publisher:** Penguin  
**Price:** ₹799

participation with technology must have delivered. It is easy to look for solutions in other countries especially at a time when several global organisations are trying to influence India's thinking.



Copying the West or even China would be a mistake. The West doesn't have the scale and diversity of challenges. And China does not have several layers of democracy that often requires dialogue and engagement. The best solutions are being created locally.

*Bridgital Nation* is also an effort to introduce a new word in our lexicon. A construct of bridge and digital, the new word is explained in its various dimensions. A "bridgital" process is a "rethink [of] conventional approaches to who does what in a value chain of service delivery" especially for those who don't have access. Bridgital technology is "digital technology and low cost delivery models that push the limits of how efficiently we can make use of valuable assets such as physical infrastructure and the time of high skill workers." And Bridgital workers are "digitally literate and technology augmented workers."

The format used for the book is eminently readable since it intertwines the lives of individuals with how they are impacted by policies and processes.

accounting. Future finance ministers may not appreciate being unable to fudge the fiscal deficit, but decent administration demands accurate numbers.

5. Our financial sector has been under great stress of late, and its problems have impinged on the performance of the real economy. While our public-sector banks are slowly returning to health, the same cannot be said of our non-banking financial companies (NBFCs), whose problems are intertwined with those of the real-estate sector. All NBFCs with an asset base above ₹20,000 crore will henceforth be regulated by the Reserve Bank of India (RBI). I am furthermore announcing the setting up of a "bad bank", specifically to address the solvency issues of NBFCs in the real-estate sector. I trust our former chief economic advisor will appreciate our use of his idea enough to reduce his criticism of my ministry.

6. Indian industry is second to none. It has demonstrated its capability to compete with the best in the world. Tariffs tend to cascade, and lead to demands for more tariffs. The time has come to decisively address the complete integration of Indian industry with the world. Henceforth, the maximum tariff for raw materials and intermediate goods is being capped at 5 per cent and for finished goods at 10 per cent. There are rare exceptions, such as for automobiles and alcohol, which are detailed later. We further need to facilitate trade with the most dynamic economies of the world. We are re-engaging with the Regional Comprehensive Economic Partnership negotiations, and in discussion for an early conclusion of the India-EU free trade agreement. We are further working towards a free-trade agreement with the emerging single African trading area. The rupee must be internationally competitive, and we will use internationally permitted means at our disposal to target an exchange rate of ₹80 per dollar.

7. Employment: Agriculture today employs half our workforce, and tourism has the potential to employ many more millions as visitors seek out our unparalleled cultural heritage. The success of the Goods and Services Tax Council as an institution pioneered by Shri. Jaitley, prompts us to address in a similar manner the coordination issues of the Centre and state by setting up an Agricultural Council and a Tourism Council.

8. Running a 21<sup>st</sup> century economy requires 21<sup>st</sup> century statistics. Serious questions have been raised of late on the accuracy of gross domestic product calculations, employment data, and even consumption. I am calling for an independent committee to review our statistical infrastructure, methodology and governance, to be headed by a former CEA. I would ask for this review to be completed within six months, and commit to a speedy implementation of their findings.

I trust this brief summary has served to convince members across party lines of our resolve to decisively set in place both the elements of a quick recovery and to lay the foundation for long-term growth. I now move on to detailing these measures. I hope the members of this house will note that this time it is only God, and not the Devil, that lies in the detail."

*The writer is co-chairman, Forbes Marshall, past president CII, chairman of Centre for Technology Innovation and Economic Research and Ananta Aspen Centre; ndforbes@forbesmarshall.com*

## Where can you bank for your buck?

The year ends with the reputation of banks and non-banking financial companies (NBFCs) in tatters. Even the Reserve Bank of India's (RBI's) cast iron image has been dented. Rocked by crisis, from blatant mismanagement (in the Jet Airways) to large-scale fraud (PMC Bank, DHFL) and outright capital destruction (Yes Bank, IndiaBulls), the sector has struggled to save its reputation.

Once again, the banks shot themselves in the foot, unsuccessfully fighting the Securities and Exchange Board of India (Sebi) for ownership rights to shares pledged fraudulently by Karvy — thereby, continuing to build a public narrative that banks were ever ready to be irresponsible — be it at the taxpayer's expense, the depositors' or retail investors'. From being perceived as economic victims weighed down by bad loans, the finance sector has emerged as the villain in 2019.

Bad decisions aside, 2020 will see new reputational dangers for the sector. While fintech has resulted in some meaningful breakthroughs and disruptions, for instance, new peer-to-peer standards like Unified Payments Interface (UPI) have transformed digital payments.

But fintech heroes come with a set of villains — such as the new breed of fintech lenders. These startups are thriving on delivering loans to customers, mainly millennials who are starting out in life with little or no credit histories and an appetite for loans. New types of loans, such as short-term (a day to a week) advance payments before salaries (payday lending) or similar bridge loans, are released without personal guarantees, collateral

and even the due diligence of a credit score.

Instead what these fintech lenders do is build a profile and "trust" score based on analysing your personal data, which they demand as a pre-condition for loan approval. Once they receive full access to your digital life, they analyse the data on your phone — SMSes, mails, photos, contact list and then apply artificial intelligence (AI) and machine learning tools to create a customer profile. Based on this "trust score", it is determined how much can be lent, at what cost and for what period. For their customers, giving access to personal data and privacy concerns are a good trade-off to access loans, which otherwise they cannot access.

This type of lending is growing fast with enormous margins (think rates higher than credit card debt). Many such firms are not just lending directly but licensing their technology to commercial banks and non-banking financial companies, for whom fintech allows them to lower their know your customer costs to determine creditworthiness.

Search for fintech lending, and many success stories pop up. Tales of quick loans that paid for important life events or averted personal disasters abound. But search deeper, and there are equally harrowing tales of social embarrassment and familial stress when these loans turn sour. Operating outside banking industry safeguards, fintech lenders can go after errant customers using the only weapon they have — social embarrassment. By harassing a borrower's parents and other family members and ruining social reputations with people they may work with, fintech lenders'

collection methods resemble an old 20<sup>th</sup> century model — that of credit card bill collectors introduced by American banks in India in the 1990s.

In contrast to the banks in the country that are shrinking in size and number due to consolidation and bankruptcies, the digital financial needs of our aspiring 1.3 billion are only growing rapidly. Many of the troubles stem from a patchwork approach, which tries to fuse a digital economy with a cash-driven one as well as manage the parallel co-existence of 20<sup>th</sup> century brick-and-mortar banks with 21<sup>st</sup> century fintech start-ups.

Creating a regulatory umbrella could help a new breed of digital-only banks to take root instead of dangerous fintech bubbles that can further erode the trust in the financial system. From the UK to South Korea, digital-only or virtual banks are making a big impression with lower lending rates, transaction costs as well as greater ease of use. Singapore is set to auction its first digital bank licences. Although regulations have been benign for foreign banks with digital-only operations here, the RBI's plate is too full of troubles of existing players to worry about new type of banks. However, given the emerging trends, it may be time for India to embrace digital banking holistically.

Given the rapid growth in fintech lending and, therefore, the potential scope for abuse, the government must use this opportunity to jump-start the next phase of banking evolution and help renew customer confidence. Fintech, when done well, has been the biggest success story for Digital India: UPI has become the global benchmark in digital payments in such a short time. Recovering one's reputation often involves reimagination and reinvention. It is time to push the banking sector to that new digital frontier.

*The writer is a communications professional*

*Bridgital Nation* narrates the life stories of people such as like Nikhil in Tripura or Jasleen in Bhatinda and interprets the current state of India's social services.

Nikhil's story is about the weaknesses in healthcare system, while Jasleen represents the lack of access for women in the workforce. The solution for Jasleen is to create a "care economy" and "smart gender policy" for women and mothers. "Allowing quick and low cost access to global markets for small scale and growing ventures," using digital platforms is one of the solutions emphasised.

The smart writing puts individuals at the centre. It personalises and humanises policies that help connect policy action to impact on citizens. Slick quotable phrases such as "escalator sectors" and "everywhere entrepreneurship" seemed to be aimed at the social media generation. For the more traditional, there are several charts and graphs that endorse the writers' arguments.

*The reviewer is author of India Automated, Pan Macmillan, 2019*

## Bridges to the digital mainstream



### BOOK REVIEW

PRANJAL SHARMA

India is the world's largest free-market democracy. No other country compares with India in its entirety. The country, however, severely lacks the important and timely data that is crucial for informed policy-making. Most decisions are made with partial, delayed or faulty data combined with deep experience and intuition. Technology is slowly changing India's data problem, though, with more and more citizens and consumers connected to the digital mainstream.

Various called *juggad*, frugal engineering and *desi* innovation, the best solutions for India now involve low-cost options that use some technology and a lot of ingenuity. It is not a surprise, then, that even global tech companies are eagerly watching how India innovates in full public view (China does it behind an opaque curtain mostly).

Consider Google's endorsement of United Payments Interface (UPI). Google wants the US Federal Reserve to follow a similar structure in which government, banks and tech companies collaborate to deliver financial services. India has demonstrated surprising success with digital services. *Bridgital Nation* takes forward the argument for enhancing low-cost digital access to the masses. In many ways, the JAM (Jan Dhan-Aadhaar-Mobile) trinity is all about this. JAM has improved the efficiency of welfare and government service delivery



## Manmohan, Nandan, Modi, take a bow!

After Google tells the Fed to emulate UPI for its RTGS, a BIS paper recommends the Aadhaar-UPI model to the world

**D**OMINATED AS THE discourse is by big US tech firms like Google/Alphabet, Tesla, and Facebook/WhatsApp, few think of India, or Indian firms, when it comes to delivering top-class tech solutions, though Isro is the obvious exception here. So, it comes as a welcome surprise that, within a few weeks of one another, there have been two ringing endorsements of India's approach/work in the field of financial technology; in these days of intense political acrimony, the good news is the work on this was started by the UPA and used effectively by the NDA. Last week, Google recommended that the US Fed use a UPI-based system to build a new inter-bank real time gross settlement service (RTGS), and now, the Bank for International Settlements (BIS) has come out with a report that recommends other countries emulate the Indian four-pillar approach of providing digital financial infrastructure as a public good, encouraging private innovation by providing open access to this infrastructure, creating a level playing field through the regulatory framework, and empowering individuals through a data-sharing framework that requires their consent. Not surprisingly, earlier this year, Singapore announced an integration with UPI, while NPCI said that it will be rolling out its UPI service in UAE.

Through Aadhaar—which was started by then prime minister Manmohan Singh and former Infosys chief Nandan Nilekani—India developed what BIS calls the “identity rail,” which was then used by prime minister Narendra Modi to dramatically increase financial inclusion through both the Jan Dhan Yojana as well as by getting banks to open low-frill accounts for them; more Indians now have bank accounts than the global average, and BIS quotes studies that show financial inclusion also helps boost income levels. On top of this, though not only related to Aadhaar, India created “payment rails”; NPCI's UPI is not based on Aadhaar, but was built as an open system by releasing the APIs so that anyone could build on its technology. That is also the reason that apps like PhonePe and Google Pay were able to score so well and make financial transactions accessible. Interestingly, unlike debit/credit cards or bank transfers that allow others to get access to your card/account numbers, UPI allows money transfers while masking the bank account number or even your name; the bank, of course, has these details, so this is not an invitation to money laundering. A big government push that went way beyond the initial demonetisation jump, and UPI's open architecture ensured that in January this year, barely 29 months after its launch, at ₹109,932 crore for the month, UPI transactions beat both debit and credit card transactions at merchant outlets—at ₹191,359 crore in October 2019, the number is a third more than that for cards. It is true that just 30% of these are P2M transactions of the type that debit/credit cards are, but the ramp up in volumes is a huge achievement.

If this wasn't enough of a revolution, BIS also speaks of the “data-sharing rails” that are designed to prevent data capture by the state or the private sector, and instead empower consumers and businesses to benefit from their own data. In 2016, RBI, which owns NPCI, established the legal framework for a class of regulated data fiduciaries, called account aggregators, which allows customer data to be shared within the regulated financial system with the customer's knowledge and consent. If the cost of the payments via UPI is much lower than other systems, the approach has also dramatically lowered the KnowYourCustomer costs, and also allows integration with other databases like the data on a merchant's sales via Flipkart or through the GST network. As a result, customers who were, till now, unbankable can now be profitably served by banks, generating new business for the banks, and lowering costs for the borrowers. Add to this, other low-cost innovations like DigiLocker, where you can get digitally signed certificates/records, and the Aadhaar-based eSign; and like the Aadhaar Stack, a Health Stack can, over a decade or so, completely change how public health services are delivered. And, all of this is in the public domain, unlike in several countries where the payment systems aren't interoperable and the data is owned by the payment company instead of the consumer.

## Junking sound regulation

Junk food regulation stalled by food industry, CSE claims

**T**HE FINDINGS OF a lab-analysis of 33 popular junk foods from top-billed brands, including PepsiCo's Lays, Nestle's Maggi, and Mc Donald's, among others, by the Centre for Science and Environment (CSE) show consumers could be ingesting unhealthy amounts of salt and fat. The CSE tested the fast-food against yet-to-be-notified thresholds set by the Food Safety and Standards Authority of India (FSSAI), and all were in breach—indeed, one brand of snacks marketed as a healthier alternative to conventional offerings had twice the level of salt allowed in a day from a snack. But, the real shocker is CSE's assertion that consumers have been kept in the dark because the processed food lobby is thwarting the notification of the Food Safety Standards (Labelling and Display) Regulations that would replace the existing Regulations.

FSSAI had already taken five years—work had started in 2013—when it came up with a draft in 2018 that was sent to the health ministry for finalisation. The draft proposed that packaged food containing more than its prescribed thresholds of salt, trans fats, added sugars, and other nutritional components that pose health risks carry a front-of-the-pack red mark to indicate these risks. But, following objections from the food industry, FSSAI sent the draft for review to a committee headed by B Sesikeran, a trustee of the International Life Sciences Institute (ILSI), in August 2018. ILSI is financed by Coca-Cola, PepsiCo, Nestle, Danone, and other food industry giants. While the final draft Labelling and Display Regulations—announced in June 2019—retains the ‘red mark’ provision of the 2018 draft, it dilutes several thresholds. For instance, as per the 2019 draft released after the Sesikeran committee submitted its report—the report was never made public—a product will have to be marked ‘red’ if the energy provided by the added sugar content is more than 10% of the total energy provided by 100g of the product. But, the 2019 draft dropped the 2018 draft's labelling requirement for total sugar in favour of ‘added sugar’—that means the manufacturer doesn't have to inform the consumer about the naturally occurring sugar in the food. Also, the threshold for added sugar has been set at 50g, the same as the 2018 threshold for total sugar.

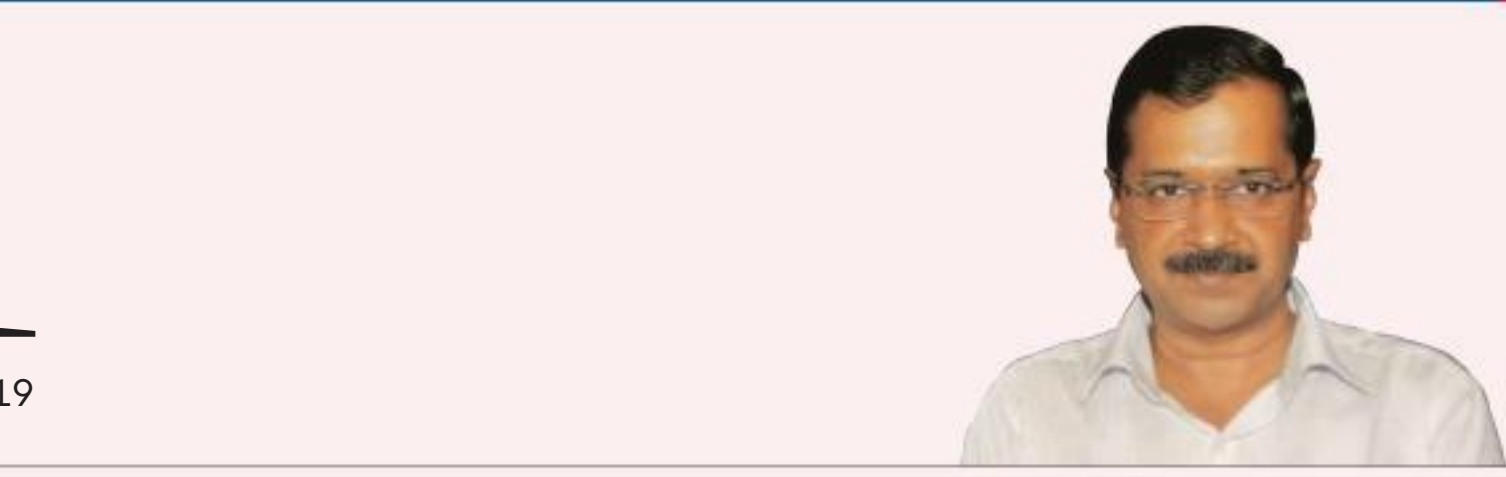
Whether or not the food companies are stalling the notification of the regulations is difficult to say. But, given consumers have a right to know what they are consuming, the government must provide clarity on the notification of the regulations. *New York Times* reports that, in China, ILSI shares office space and staff with the body tasked with battling the country's obesity epidemic, and, in Brazil, its representatives occupy seats that were previously reserved for university researchers on food and nutrition panels. Against such a backdrop, the government needs to be very circumspect about the heft it allows food industry representatives in food standards regulation.

## Healthy APPROACH

Govt does well to cut costs and curb corruption; now, it needs to harness tech to deliver better

**T**HAT AYUSHMAN BHARAT has been able to get over 19,000 hospitals empanelled and caters for over 11 crore beneficiaries, of which 68 lakh have availed its service, speaks volumes about its success. The scheme is certainly benefiting the poor in the country—a ₹5 lakh cover for beneficiaries in a country where, PHFI reports, 55 million people were driven to poverty due to out-of-pocket health expenses. Given its scale, the government working on bringing costs down is welcome—as per a *Business Standard* report, the government is mulling bulk-buying of medical devices like medical stents and selling it to its network of hospitals via its GeM website. If done correctly, this will ensure that hospitals get cheaper rates for medical devices.

While this is just one step, a recent interview by PM-JAY CEO in *Hindu Business Line* highlights that the government, by using technology, is also trying to curb instances of fraud. For all the good work done by the scheme, earlier this year, 111 hospitals were found cheating. Since July, the government has hired the services of SAS, MFX, LexisNexis, Optum, and Greenjo to use machine learning to detect such cases. While it is floating a tender to get more such companies on board, it would be better if India were also to implement Health Stack based on Aadhaar. An Aadhaar-based verification and storing of health records would ensure that cases of fraud and cheating are kept to the minimum. The government claims it was able to curb leakages worth thousands of crores using DBT; it is time it uses technology to save on health spend.



### POWER STRUGGLE

Delhi chief minister Arvind Kejriwal

When it is proved that the AAP is going to win Delhi elections with a huge majority, the opposition is deliberately spreading violence ... I do not need to tell who has the power to cause riots in the country

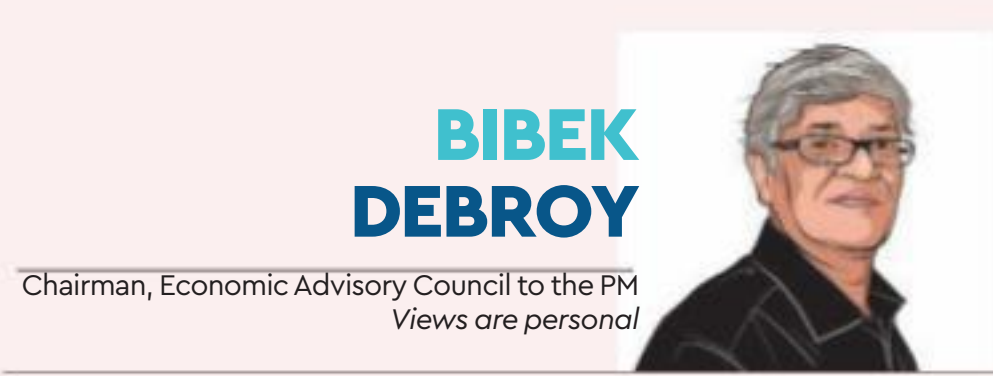
### ● PRESERVED IN BRINE

WITH OTHER DEPARTMENTS/BODIES HAVING ASSUMED MOST OF THEIR FUNCTIONS, THE MOST THAT SALT DEPARTMENTS CAN DO TODAY IS TO EXPLOIT THE LAND THEY OWN

# Salt bureaucracy pounding salt

**B**EFORE ROY MOXHAM wrote his book, *The Great Hedge of India*, in 2001, not too many people had heard of the great hedge or the inland customs line. Even after his book, a sufficient number of people don't know about this bizarre hedge and its antecedents. The customs line, and the related hedge, started with the East India Company, but continued after 1858. The reason was high tax on salt in Madras, Bengal, and Bombay presidencies, especially Bengal. But, there were parts of India that were not part of British India, such as princely states. Therefore, in addition to “illegal” salt production in salt pans, salt would be smuggled into British India from elsewhere, similar to the current phenomena in states with prohibition on liquor. Hence, an inland customs line was gradually constructed, cutting across Punjab, United Provinces, and Central Provinces, to borders of Orissa. There were customs barriers and customs posts. However, even with guards, how does one enforce something like this? Guards are humans, amenable to bribery. Today, corruption is curbed by using information technology (IT) to reduce the human interface. Back then, it was done through a hedge interface, constructing a hedge made out of Indian plum, babool, karonda, and plants like that.

Allan Octavian Hume is one of the founders of Indian National Congress. As commissioner of inland customs between 1867 and 1870, he is the one who perfected the hedge, and made it an impenetrable barrier. At its peak, more than 14,000 people manned the customs line and the hedge. Gradually, as British territory expanded westwards, trade within the country freed



Chairman, Economic Advisory Council to the PM  
Views are personal

and salt taxes standardised, the hedge withered away and remained a distant memory, until Moxham tracked it down and found its remnants near Etawah. Towards the end of the book, Moxham writes, “I had long ago accepted that the reason no one knew of the hedge was precisely because it had largely disappeared. If it had been better preserved it would have become a tourist attraction.” On that stretch near Etawah, a road had been built over it. But, Moxham still found traces.

Pre-independence, there were several statutes on salt—Transport of Salt Act (1879), Indian Salt Act (1882), Madras Salt Act (1884), Bombay Salt Act (1890), Indian Salt Duties Act (1908), and so on. Protests against taxes on salt are powerful images of the struggle for independence. Post-independence, salt was delicensed in the second half of the 1990s and this removed references to salt in central excise and Salt Act (1944). This 1944 statute unified pre-independence salt legislation and had special provisions on salt, incorporating licensing while grandfathering rights of existing salt factories and salt works. But, taxes on salt were scrapped in 1947. However, since administrative machinery for salt still existed, government needed revenue for running this machinery. With salt figuring as Entry No 58 in the Union List of Seventh

Schedule, at that time at least, Salt Cess Act (1953) was understandable. In 1978, we even had a High Level Salt Enquiry Committee, which, incidentally, recommended a removal of the cess. In 2016, this cess was scrapped. Roads of reform and GST (salt has 0% GST) have thus been built over the legacy of salt.

However, if you look hard enough, like Moxham, you will find vestigial traces. Department for Promotion of Industry and Internal Trade's Annual Report has a section on salt industry. India is the third largest producer of salt in the world (after China and USA) and the second largest producer of iodised salt (after China)—95% of production originates in private sector, 3.5% in cooperative sector. One reason why the Annual Report has a section on salt is because of the Salt Commissioner's Office. “The total area under salt production is about 6.47 lakh acre (Patta land, State Govt. land, Port land, Salt Department land). Out of this 59,946 acres land belongs to Salt Department for manufacture of Salt.” Salt Commissioner's Office has headquarters in Jaipur, appropriately titled “Lavan Bhawan”. There are regional offices in Chennai, Mumbai,

Ahmedabad, and Jaipur, with some field offices too. What do they do? Standards are domain of the Food Safety and Standards Authority of India (FSSAI). Code on Social Security and Welfare has subsumed welfare measures. Planning is history. All that remains, is exploitation of land owned by Salt Departments, either by leasing out this land for salt production, or through monetising it. Recently, there has been discussion about monetising Mumbai's salt pan land in Ghatkopar, Wadala, Chembur, Bhandup, Trombay, Virar, and Bhayandar.

“The 26 Quality Control Laboratories of the Salt Commissioner's Office, along with the staff could be transferred to the Public Health Division of the Ministry of Health and Family Welfare. Of the lands under the control of the Office of the Salt Commissioner, those which are now leased for salt production (about 45,000 acres) can be transferred to the States along with the responsibility for leasing of these lands. The States could be allowed to retain the lease rentals. The remaining

lands can be vested in the Ministry of Urban Development which can take action or the disposal of these lands. The Office of the Salt Commissioner, along with all the field offices could then be closed down.” This quote is from the 10th Report (July 2000) of Expenditure Reforms Commission, which also estimated 800 jobs would become ‘surplus’. Most people don't know there is an all-India Central service known as Indian Salt Service, with both Groups A and B.

## MUDRA loans: Canary in the coal mine?

Mudra NPA issues may not seem meaningful right now, but they could pose a medium-term risk given there was no due diligence and the credit guarantee fund may prove insufficient

### ANAND SWAMINATHAN & NIDHI SINGH

Authors are Research analysts, DSP Merrill Lynch (India)  
Views are personal

**LAUNCHED IN 2015**, the Pradhan Mantri Mudra Yojana (PMMY) was floated with the singular aim to ease credit access to non-corporate, non-farm small/micro enterprises by providing small ticket loans (up to ₹10 lakh) at various stages of business development. The scheme works by directly providing loans through MUDRA bank (incorporated with a corpus of ₹20,000 cr) and by providing refinancing to more than 150 Member Lending Institutions (including banks and NBFCs). Until FY19, loans worth ₹8.6 lakh cr were disbursed, 45% of which are of ticket size < ₹50,000, across business segments.

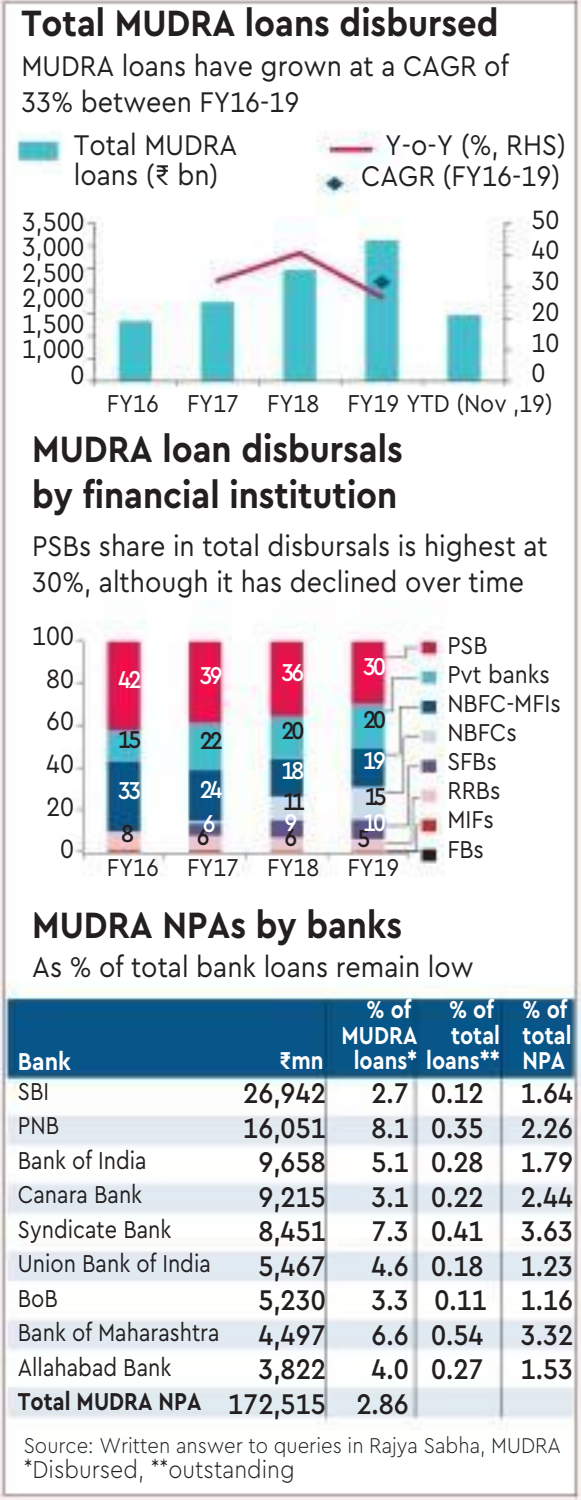
During FY16-19, MUDRA loans disbursements have grown at a CAGR of 33%, and small ticket loans comprised 86% of the total MUDRA accounts. Among MLIs, PSBs have led disbursements, contributing 36% of the total disbursements till date (₹3 lakh cr), led by SBI, Canara Bank, and Allahabad Bank. However, NBFCs and MFIs have increasingly captured a larger share of total disbursements, from 2% in FY16, to 25% in FY19. Among private banks, IIB has had the highest total MUDRA loan disbursement at ₹27,100 cr.

In spite of significant growth in MUDRA disbursements, total disbursements are in the range of 0.5-2% of outstanding loans for banks (excluding IIB), while the NPA as of FY19 stood at 2.86% of total loans disbursed. The NPA range for PSBs varied between 2.7-8.1%, but MUDRA NPAs as a percentage of total outstanding loans continues to remain in the 0.1-0.4% range. Our sensitivity analysis suggests, a 20% default from MUDRA disbursements can increase NPAs in the range of 0.7-1.2 percentage points for PSBs and 0.2-2.9% for private banks. Hence, while at current levels, MUDRA NPAs don't appear to be a meaningful threat for banks, a severe deterioration in the asset quality could potentially have significant impact on banks if macro risks go up.

Outstanding loans as of March 2019 stood at ₹7.4 lakh cr. MUDRA disbursements in FY19 were 29% of outstanding MSME loans and 3.6% of total outstanding loans. Interestingly, MUDRA loan disbursements as a percentage of MSME loans has increased from 19.4% in FY17 to 29.2% in FY19, while the disbursements

a percentage of total system credit was up to 3.6% from 2% in FY16, implying significant growth in these segments. Shishu loans (< ₹50,000) continue to form the largest share of MUDRA loans disbursements at 44%, followed by Kishore (32%) and Tarun (24%).

While PSBs continue to dominate the lending of MUDRA loans, SFBs and NBFCs have been able to take over a significant portion of that, now up to 25% of the total disbursements MUDRA Loan disbursements as % of total outstanding loans for PSBs fell in FY19, while the trend remained flat for private banks, with the exception of IIB, whose share has trended upwards, and will be further buoyed by the acquisition of BHAFIN.



While the scheme was touted as a significant step to ensure ease of credit to MSMEs, concerns regarding the loans have been highlighted by banks and RBI alike on the following accounts:

■ **Lack of due-diligence to meet targets:** As highlighted by recent commentary by RBI officials, a key concern with MUDRA loans has been the possibility of adoption of lower credit standards or lack of due-diligence on the part of PSBs to meet MUDRA disbursement targets that can significantly impact credit quality.

■ **Loan profile:** The average MUDRA loan disbursed in 2018 was of ₹45,034, as per *India Today*, with Shishu accounts comprising 86% of the total—not enough capital to start businesses. As such, these loans may be used for immediate funding/personal requirements, putting them at higher risk of default.

■ **Inadequate refinancing:** MUDRA was converted into a bank with a corpus of ₹20,000 crore in 2016 to provide refinancing for MUDRA loans. There are however two issues here: Inadequate capital to refinance loans that are now outstanding at ₹7.4 lakh cr; and caveats to banks' ability to refinance. It requires that banks lend at the base/MCLR rate to avail these benefits.

■ **No collateral:** The lack of collateral in MUDRA loans in itself creates significant risk for lending institutions, with no buffer against potential defaults.

■ **Credit guarantee fund with corpus of ₹3,000 cr may not be sufficient coverage:** Even though the Centre laid the foundation of a credit guarantee scheme, aiming to cover up to 50% of the default amount of the portfolio of banks, in the light of NPA ratios possibly stretching to high teens, from the ₹7.4 lakh cr outstanding amount, the fund won't prove adequate.

As per the latest numbers reported in response to a question posed in the Rajya Sabha, MUDRA NPAs stood at 2.86% of total loans disbursed, up from 2.52% in FY18; 30.57 lakh MUDRA accounts were declared NPA as of FY19. For individual PSBs, these numbers ranged from 2.7% for SBI to 8.1% for PNB.

*Edited excerpts from BofAML's MUDRA loans—Canary in the coal mine? report dated December 11, 2019*

### LETTERS TO THE EDITOR

#### Students' agitation

Hats off to the students for opposing the NRC and Citizenship Amendment Act (CAA). The students are living proof that India is the land of Lord Buddha, Mahatma Gandhi and Dr BR Ambedkar with a lot of humanity. It is brave of them to stand up to the government and exemplify true patriotism. It is uplifting to behold the picture of Dr BR Ambedkar at the protest marches. Clearly, students who are the country's future do not want to live in a country that legalises discrimination of people. But, then the battle for secularism and common humanity is not that easy to win, when even the 'supreme' echelons of the judiciary appear to have joined the Hindutva choir. The larger message from the students' spontaneous protests is loud and clear: India, a beautiful patch of land on the face of the earth belongs not just to the upper castes, but to all manner of people. It is evident from students cutting across religious boundaries that BJP's divisive politics is coming apart at the seams. The Centre should learn to listen to students' *Mann ki Baat* and say after them, 'We are Indians and human beings', and keep their other identities to themselves. It is simply unthinkable that India's PM can betray his religious bias and hatred by speaking of clothes regarded unique to members of a particular religious community. This is not the way to win the 'vishwas' of minorities. Hindu revivalists who harp on 'larger Hindu unity' day in and out, should first repudiate the notion of pure genetic pool and launch a national movement to promote inter-caste marriages. The ongoing protests affirm that India is not a kingdom and we are not subjects but, that our country is a pulsating democracy and we are citizens with cherished values. The bones of our forebears have been interred in this soil for at least over 65,000 years. The migration from Africa preceded the migration from Central Asia by over 61,500 years. The self-serving ruling elites cannot lord over us in the name of 'sanctified apartheid'. The time has come to define Bharat Mata; Mother India is all the people of India and not just the privileged upper castes. — G David Milton, Maruthancode

● Write to us at feletters@expressindia.com



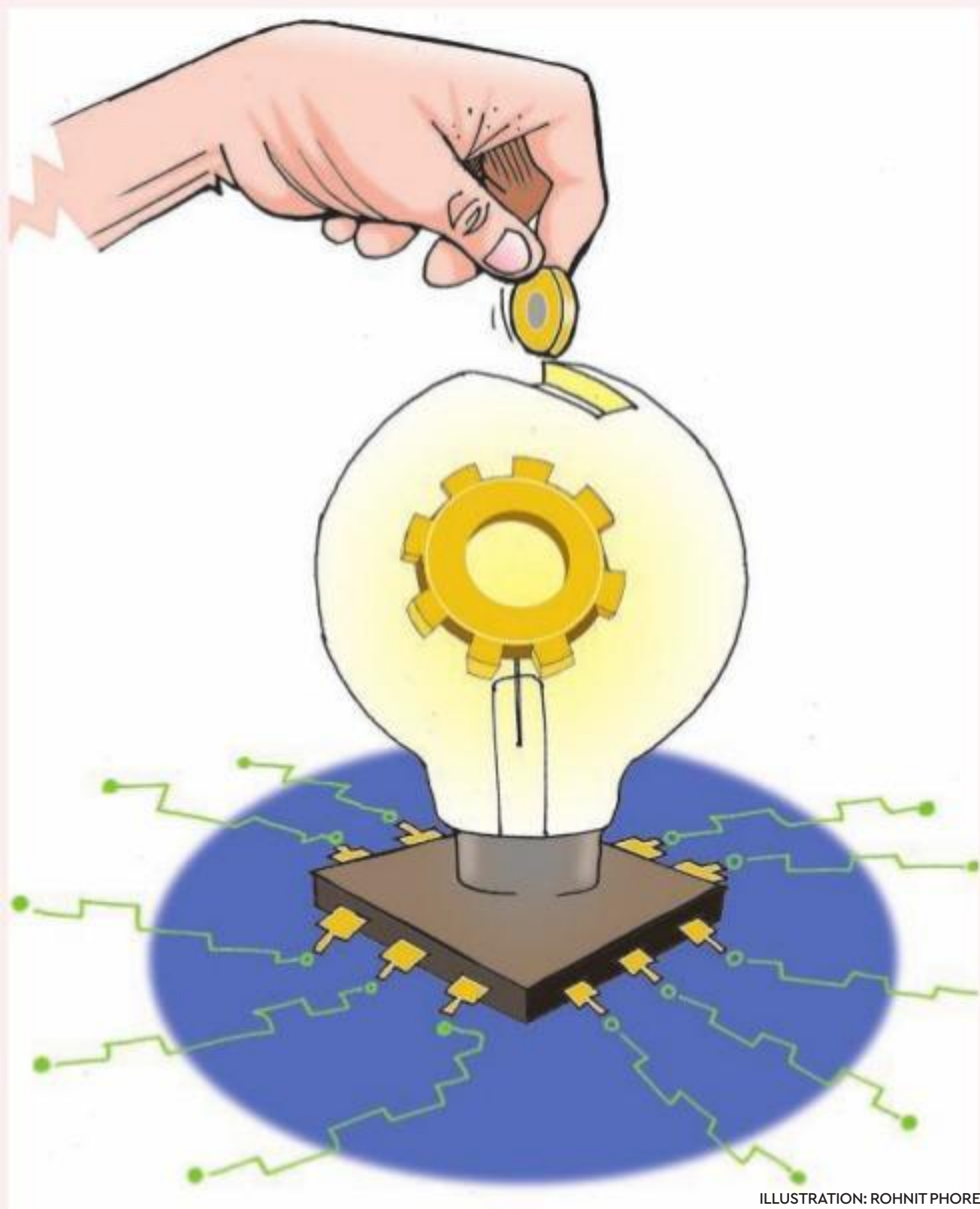


ILLUSTRATION: ROHNIT PHORE

**NISHA HOLLA  
& TASLIMARIF SAIYED**

Holla is technology fellow, and Saiyed is CEO & director, C-CAMP (Centre for Cellular and Molecular Platforms)



# Three vital ingredients for path-breaking innovation

For robust socio-economic growth, India needs a framework that facilitates generation and curation of ideas

**DEEP SCIENCE INNOVATION** is the art of drawing fundamental scientific breakthroughs up the value chain into useful products and processes. The most successful innovations are the ones that quietly integrate into the very fabric of our daily lives. Prime examples are cell phones, cars, antibiotics, pacemakers and electricity; all of which have irreversibly transformed lives. So much so that one day, a generation wakes up and cannot imagine life was any other way.

Countries around the world have built extensive institutional machinery to harness the power of innovation in building and retaining socio-economic and political power. A leading example is the US, which soared after its scientists discovered how to weaponise nuclear energy and pioneer mass manufacturing. It remains a top economy today, fuelled by the world-class innovation of its universities and research laboratories. On the other hand, economies impoverished at the end of the Second World War, such as Japan and Germany,

also bounced back quickly by focusing on innovation-driven growth in high-velocity domains like automobile manufacturing and energy. China's growth accelerated when it converged on capturing the semiconductor fabrication market in the 1980s, and it now dominates quantum computing, among other deep innovation verticals.

India's strengths in science and technology are renowned, as is our tenacity in scientific development, exemplified by the bold progress of our space and nuclear energy programmes. However, as a nation, we are progressing beyond distinction in individual programmes and towards collective excellence in innovation that reflects our bold economic vision. We need a nationwide mandate and structure to fuel sustained innovation efforts.

Several departments under the ministry of science and technology – biotechnology, for instance – have forged strong foundations to foster early-stage innovation. The NITI Aayog is laying out comprehensive policy initiatives in exponential technologies like artificial intelligence. There is the concept of a National Research Foundation to consolidate research efforts. A picture is starting to emerge from the jigsaw puzzle.

The next step is to establish a seamless value chain for idea-to-market technology development, much like the US and China have. Three ingredients are paramount – a framework that facilitates generation and curation of ideas, deep-tech investment strategies, and a bold vision with a clear view of how to realise growth in every focus sector.

## Continuous generation and curation of ideas

A free and continuous flow of ideas is the cornerstone of any innovative society. A holistic sector-agnostic framework to support idea-generation entails the following:

- Building the infrastructure in the form of world-class research labs with state-of-the-art equipment in universities and fundamental research institutions. An immediate requirement is to enhance the capabilities and capacity of existing labs and innovation hubs with proven track records.
- Curation of ideas must be multifocal by continually taking it up the idea-to-market value chain. Many entrepreneurs are developing solutions to India's considerable societal challenges. Regular interactions with the necessary stakeholders will facilitate swifter implementation of these ideas and solutions.
- Policymakers must systematically study India's needs and incentivise innovators to solve these.
- Partnerships with leading global institutions in fundamental and application-based research will ensure that our ideas and implementation strategies are globally-relevant.
- Incentivising young talent to continue with research and specialisation by ensuring they are economically taken care of through fellowships and grants. This will help retain talent by disincentivising them from joining a job just for a salary, or moving abroad in search of better opportunities.
- Intervention during the educational years to nurture talent in schools and colleges is essential. Widespread access to tinkering labs, world-class labs at universities,

**Partnerships with leading global institutions in fundamental and application-based research will ensure our ideas and implementation strategies are globally-relevant**

and other amenities are required.

## Deep-tech investment strategies

Deep science innovation often constitutes a substantial amount of initial research, protracted testing and validation cycles, and an expensive generation of intellectual property (IP) that contributes to the embedded value of the technology. They have long-drawn runways, often requiring 10-15 years to actualise real returns. For this, we need patient capital from both private and government stakeholders.

Essential points here are:

- Government focus on innovation is mostly at the early-stage now, like grants for initial research and product testing. Deep science innovation needs robust follow-on funding to go beyond early development and thrive in the market.

- Infrastructure requirements in deep science innovation are higher than in tech and other internet-based solutions. They need support with scale-up test beds like pilots and production facilities, testing and quality labs, pollution clearances, industrial design and productionisation, and decoding regulatory pathways.

- Create focused funding avenues for different deep science innovation entities like scientist-entrepreneurs, university research labs, innovation hubs, and India's top research institutions like ISRO, TIFR and CSIR. Dedicated investment opportunities to support India's top science talent will turbocharge the ecosystem.

- Tax benefits and incentives for private Indian investors to invest for the long term are necessary to secure large pools of capital. Innovation-driven nations like Israel, the US and others have built lasting ecosystems with such investor-friendly strategies.

## Long-term vision

India has already set an ambitious goal of \$5-trillion GDP by 2025, and \$10 trillion by 2030. Every growing nation needs an ambitious goal, so the interests of all the stakeholders are aligned. We then break this goal down backwards to understand what it means for timelines, implementation and achievement.

Specifically, we need to:

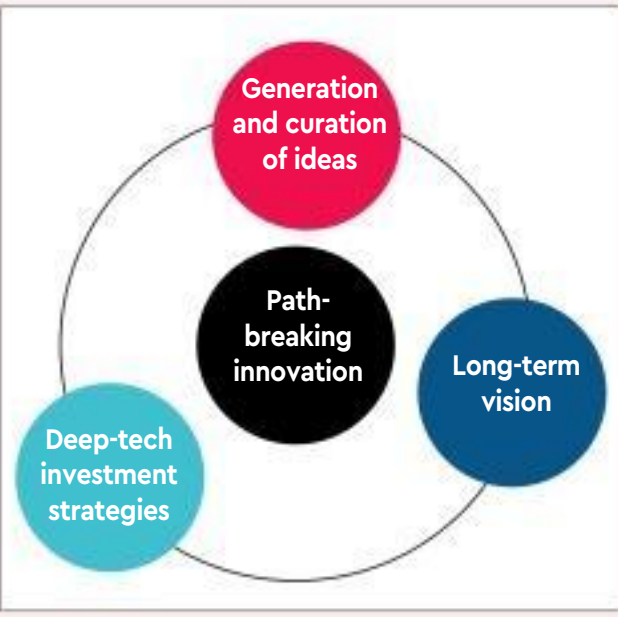
- Address domestic challenges, identify critical verticals that can accelerate India's socio-economic growth, and create long-term investment strategies for each. These include defence, healthcare, water-treatment technologies, energy, artificial intelligence and others.

- Within the broader policy goals, technology development needs special attention. For example, India has already set an exceptional zero-emission target for 2030. Now we back-calculate what that means for investment in renewables, electric vehicles and maglev technology. We identify which of these we already have a firm footing in, and which we need to accelerate. This focus will catapult India into a leadership role, especially around global issues faced by emerging economies.

- To ensure ongoing progress, corporate frameworks to track key performance indicators (KPIs) down to the last detail are useful. We can track every goal, target and organisation in this manner.

- The idea of a bold vision is that Indian society and quality of life will have advanced dramatically in 20-30 years. Globally-accepted markers like the Innovation Index are useful to track these disruptive changes.

Since economic liberalisation, India has slowly but steadily metamorphosed into an ambitious tribe on track to becoming a superpower. There is an infectious spirit of innovation in the air. To harness every bit of this spirit, we must recognise that it takes a long time to see the results of the investment of time and money in innovation; we cannot afford to waste any of it. By establishing frameworks around these three vital ingredients and implementing them systematically, we have a shot at assembling an innovation powerhouse that can drive India's growth for decades. We must get this right.



# The \$680 mn question

**ANDY  
MUKHERJEE**

Bloomberg

## Other Indian businesses should treat Ambani's travails as a cautionary tale

**A**NIL AMBANI, the younger brother of Asia's richest man, faces a \$680 million legal test to answer one and only one question: Just what did he know about what his employees were doing on his behalf? Other Indian tycoons will take an abiding interest in his defense.

The \$680 million is the amount Industrial & Commercial Bank of China Ltd is seeking to recover from the former Indian billionaire by invoking what they say is a personal guarantee he gave in 2012 to secure a \$925 million loan for Reliance Communications Ltd, his mobile services firm that's now in bankruptcy. Ambani, whose older sibling Mukesh controls Reliance Industries Ltd, India's most valuable company, claims he never knowingly provided any guarantee.

In his version, he had only authorised his employees to furnish a non-binding "personal comfort letter" to lenders, including ICBC, China Development Bank and the Export-Import Bank of China. Somehow, that letter of comfort morphed into what the banks now argue to be an iron-clad guarantee under English law. "A truly remarkable feature of Mr Ambani's case," London Judge David Waksman said in his order Monday, "is that he has himself proffered no explanation as to why he should have been deceived in this way."

As to how personal assets were put at risk unbeknownst to the boss until RCom defaulted in 2017, the order noted that Ambani's lawyer had argued that his client's "position was that 'he hasn't got a clue' how all of this came about." Judge Waksman stopped short of awarding the summary judgment requested by ICBC, though not before characterising Ambani's evidence as "inexplicably incomplete, implausible and highly unlikely."

A trial will commence next year. Pending the verdict, the court may ask some or all of the claim to be deposited with it.

Ambani's representative focused on the the judge's decision to dismiss the banks' application for a summary judgment. "Mr Ambani has contested the proceedings and put up a strong legal defense, and will continue to contest the proceedings and seek leave to defend, without any conditions as to making of deposits or payments being imposed," the representative said in a statement, according to *Bloomberg News*.

**This is the younger Ambani's second brush with the pitfalls of personal guarantee. Earlier this year, he managed to avoid a three-month prison term**

This is the younger Ambani's second brush with the pitfalls of personal guarantee. Earlier this year, he managed to avoid a three-month prison term when his elder brother showed up just in time to settle the \$80 million claim of Ericsson AB. The Swedish telecom equipment maker had obtained a contempt-of-court order to put Ambani in jail if the payment—which he had personally guaranteed—wasn't received by March 19.

Other Indian business families should treat Ambani's travails as a cautionary tale. When India's economy was booming, and firms were greedy to use leverage to grow, many of their controlling shareholders liberally gave out personal guarantees to lenders. But the rosy assumptions behind aggressive, debt-fueled expansion have come unstuck for many borrowers in an economy that has slowed down sharply. The Ruia family recently lost its crown jewel — a 10 million-tons-a-year integrated steel plant in western India — to ArcelorMittal.

Even here, the former asset owners had backed their borrowings with personal guarantees, and State Bank of India, the main lender, had even made an attempt to enforce them. With Mittal's \$6 billion check in the bank, that recovery may have now become a moot point. But from December 1, personal guarantees on corporate loans will be adjudicated under Indian bankruptcy law. That will put a healthy fear in the minds of Indian businessmen about borrowing too recklessly. Their own assets could end up getting liquidated together with those of their companies.

As for Ambani, he'll get his day in an English court to prove his lack of awareness. The bar is high, though. "I consider it extremely unlikely that his role was really limited to simply chairing board meetings with little or no interest or role in what RCom was doing, especially in the context of a major refinancing which was needed urgently," Judge Waksman noted.

This has all the ingredients of an engaging courtroom drama.

**D**IGITISATION IS THE best thing to happen for gender parity. Technology has the potential to give women unprecedented levels of economic and social autonomy by lowering the barriers to learning, work and entrepreneurship.

Mobile phones, the internet and digital platforms have opened up extensive opportunities for women. Fintech has given them independent financial existence and e-commerce has created the option of building online business with minimal knowhow and capital. Social media has opened access to business and professional networks, and online collaboration tools allow women to work or get things done without having to travel or spend a lot of time away.

Digitisation is also increasing women's presence at workplaces by making them feel more secure. GPS on mobile phones has allowed women to travel long distances and work late, by allowing them to share their movements. Women are also able to undertake jobs that were earlier the preserve of men, such as driving taxis. Digital taxi apps are attracting women drivers by assuring them of safety and matching women customers with women drivers.

Data and AI have emerged as the antidote for gender bias in hiring, assignments and promotions. As performance

# Gender parity at work in digital age

Gender equity has to be written in the code of the digital economy

**REKHA  
SETHI**

Director general, AIMA (All India Management Association)



and potential get measured in data points, career progress becomes less dependent on touchy-feely evaluation of personality and attitude. Analytics offer women greater assurance against discrimination, provided the algorithms are trained on inclusive data. AI can also be used to identify the hidden biases in hiring and promotions in organisations.

AI has come to the rescue of women start-up founders, too. VCs have begun to focus more on the merits of the project and less on the experience or seriousness of women entrepreneurs. Data analytics and decision-aiding algorithms are doing a better job of breaking the glass ceiling than ideological schemes for fixing

gender imbalance at work and in business.

However, despite all the good that technology can do for women, there is a gaping digital divide between men and women. According to the latest data on mobile phone ownership and connectivity, India has a gender gap of 26% in mobile ownership and 56% in mobile internet access; this is despite a substantial improvement in affordability of mobile phones and data packs.

The tech industry continues to be populated mostly by men. According to the latest gender gap report of the World Economic Forum, women form less than a third of a broad category of profes-



sional and technical workers in India. It is no surprise that India ranks 112th on gender parity among the 153 ranked countries. But the digital divide between genders is not just an Indian problem.

According to an OECD (Organisation for Economic Co-operation and Development) report on global gender divide in the digital economy, 15-year-old girls are half as likely as boys to aspire for careers in engineering, and three times more likely to end up in healthcare industry. Women are only 20% of the graduates in information and communication technology, and they are less than 10% of the investing partners in the top VC firms, adds the report. Nearly 90% of the software and AI

algorithms are written by men, and a similar portion of innovative start-ups are founded by men. Women founders of start-ups get lesser funding, and are less likely to get acquired or have an IPO.

This male-biased growth of the digital economy has implications for gender parity in the future. According to an IMF paper, globally, about 180 million 'female' jobs are at a high risk of extinction because of automation. A lot of the clerical and customer-facing jobs that are dominated by women are being taken over by bots.

However, it is also likely that automation would favour women's attributes and would create more 'female' jobs than

it would extinguish. It is easier to automate analytical intelligence than emotional intelligence. Invariably, women score much higher on emotional competencies such as empathy expression and conflict management.

Still, care has to be taken to ensure that women do not get funnelled into the roles of facilitating work and collaboration. Women's caring and conciliatory attributes must not be used against them to herd them in docile, subservient functions. The stereotyping has happened in digital voice assistants, and the default voice on most consumer devices is of women; the tone and vocabulary is more docile than bright.

Women themselves can make a big difference to gender parity in the digital age by getting more involved in the development of new technologies and products. More women need to pursue study of science, technology, engineering and maths to break into the tech industry, and build things from women's perspective. Even just as consumers and business leaders, women can shape technology with their insights about behaviour and priorities.

However, technology is just one piece of the gender parity puzzle. Mindset is still the key. Making parity a management task and sloganeering has not worked. Gender equity has to be written in the code of the digital economy.





## WORDLY WISE

FEDERALISM ISN'T ABOUT STATES' RIGHTS. IT'S ABOUT DIVIDING POWER TO BETTER PROTECT INDIVIDUAL LIBERTY. — ELIZABETH PRICE FOLEY

*The Indian***EXPRESS**

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

## STATES STAND UP

When checks on the Centre are conspicuously feeble, pushback by chief ministers is invaluable

CITIZENSHIP IS A Central subject and, legally speaking, the states may have limited room for manoeuvre when it comes to determining who is a citizen and who is not, or in implementing a law on the matter framed by the Centre. And yet, when duly elected chief ministers stand up and oppose a central law, when they pledge resistance to it in their states, they make a political and symbolic point that the Centre in a federal democracy would be unwise to ignore or attempt to ride roughshod over. This is what is happening on the new citizenship law that the Narendra Modi government has pushed through both Houses of Parliament on the strength of its numbers and the National Register of Citizens that it says it will extend nation-wide. Odisha Chief Minister Naveen Patnaik is the latest to join a line-up of non-BJP CMs who have come out in opposition either to the NRC or CAB or both. Patnaik's party, the BJD, voted for the CAB in Parliament but now says no to the NRC, making a distinction between a law that gives citizenship to foreigners on a religious basis and a register that threatens to unsettle India's own minorities and the poor. That distinction may not be a tidy one, the law and the register may be, as Mamata Banerjee puts it, "two sides of the same lollipop" being waved by the BJP to effect and entrench Hindu consolidation. But in Bihar, Nitish Kumar has made the same separation to become the first BJP ally to distance himself from the NDA government in the name of the NRC. And so far, the Modi government is turning a deaf ear to the voices of the chief ministers.

Be it CM Banerjee in Bengal, Arvind Kejriwal in Delhi, Amarinder Singh in Punjab, Pinarayi Vijayan in Kerala, Bhupesh Baghel in Chhattisgarh, or Nitish Kumar and Naveen Patnaik in Bihar and Odisha respectively, the objections to the NRC-CAB seem two-fold. One, these chief ministers are pointing to the lack of consultation, the go-by to norms of negotiation and consensus-building, by a Centre drunk on an electoral majority, on vital issues that affect the country. The principle of "cooperative federalism" the Modi government swore by is being conspicuously flouted over and over again. And two, despite all its slogans of "sabka saath... sabka vishwas", the NRC and the CAB, and the two together, are furthering an unabashedly majoritarian project that rubs in a message of second-class citizenship to India's largest minority. While, singly, the CAB may have the fig leaf of addressing persecuted minorities in other countries, together with the NRC process that demands documents and certificates of belonging or else, it underlines the same signal to Muslims that ill behoves a plural democracy.

The push-back by the chief ministers is important, and the Centre must respond to it. In times when checks on power are conspicuously feeble and countervailing institutions seem unable or unwilling to rise to their mandate, the CMs' voices are also a valuable reminder — that India's largeness and its diverse locales are not its weakness, but its strength, and a reason to hope.

## READING THE SENTENCE

Supreme Court verdict on Musharraf is a significant moment that may not make a dent in civil-military relations

THE DEATH SENTENCE to Pervez Musharraf, Pakistan's military ruler from 1999 to 2008, marks a significant moment in that country's history. The verdict was pronounced by a special court set up to try him on the charge of treason for suspending the Constitution and declaring an Emergency in 2007 when as many as 60 members of the higher judiciary were detained. The coup within a coup — it was by then nine years since Musharraf had ousted Nawaz Sharif — came at a time when the Supreme Court was deliberating the validity of Musharraf's bid for a second term as president. The Court had already declared his 2007 Emergency unconstitutional and illegal in a verdict in 2009. The decision to put him on trial under Article 6 of the Constitution, which specifies the abrogation of the Constitution as a treasonable offence, and makes it punishable by death, was taken by the government of Nawaz Sharif in 2013.

The death sentence is unlikely to be carried out. For one, Musharraf, lives in self-exile in the UAE. For another, the security establishment will ensure this does not happen. The army has already rejected the conviction of a former army chief and declared he could "never" be a traitor. Being on the "same page" as the army, the Imran Khan government is not about to rush to implement the sentence. The demands from the Opposition, too, are likely to be muted. Even so, the verdict is significant, following as it does the Supreme Court quashing of the three-year extension to General Qamar Javed Bajwa. But the real question is: Will it change existing equations? The Pakistan Army is capable of ditching individuals to safeguard its institutional interests. Since 2008, when Musharraf was forced out of office, the army has preferred to maintain ties with him only to ensure that its own power is not eroded by civilian governments. Otherwise, it has made every effort to turn the page on the notoriety the Musharraf era earned it. It now projects itself as an "apolitical force", even as it continues to wield political power without accountability.

As far as India is concerned, the improved bilateral atmosphere in Musharraf's time had more to do with the post 9/11 environment than any sincerity on the part of the architect of Kargil to make peace. The ceasefire on the LoC is the lasting legacy from the time, but all that has happened in India-Pak relations since November 2008, including the ceasefire violations, has proved that peace requires statesmanship of a higher order than the leadership on either side has shown at any time.

## NATA SAMRAT

Shriram Lagoo was an actor par excellence. He was also more than that

SHRIRAM LAGOO, WHO passed away in Pune aged 92, was primarily an artist of the Marathi stage. But his reputation, partly gained from the character roles and cameos he essayed in Hindi cinema, extended beyond the world of theatre. Iconic performances in plays like *Natasamrat*, where he played a retired stage actor, had turned him into a legend in his life time. For a host of peers, younger actors and directors, Lagoo had become a text book in acting and stagecraft.

A late entrant to professional theatre, Lagoo studied medicine in Pune, specialised as an ENT surgeon in the UK and practised as a doctor in Africa, before turning a full-time actor at the age of 42. In the 1970s, he established himself as a powerful presence on stage, working with directors such as Jabbar Patel, who also cast him in films such as *Sinhasan*. Theatre remained his first love, which he also used as a platform for dissent and dialogue. Both Lagoo and Marathi theatre benefited from their mutual attraction. Marathi theatre in the 1970s was an exciting space with a great talent pool of writers, directors and actors and many of the productions closely scrutinised the society and politics of those times. Lagoo, who identified with progressive causes, easily fitted in this cultural milieu.

Lagoo's public life extended beyond the world of theatre and cinema. He engaged with social movements such as the anti-superstition movement of Narendra Dabholkar, who was murdered for his beliefs. Art was an extension of Lagoo's political commitment and vice versa. The love and affection he received from his audience owes a lot to the lack of apparent contradictions between his life and work.

# Discrimination, not justice



PRATAP BHANU MEHTA

Let's hope this generation does a better job of navigating the struggle than the one that came before

INDIA IS IN the midst of, arguably, the largest student protest since the Emergency. The ground of protest is clear: India cannot be a Republic founded on discrimination and a pervasive sense of fear. It cannot exclude or target anyone simply on the basis of their identity. It is hard to predict the shape of any movement. We left the current generation of students a tattered constitutional legacy, weak institutions, an uncertain economic future, a poisonous public discourse and a corrosive politics. We left them insecure and weak leaders or those whose divisive passions are their only policy. So this movement will have to find its own vocabulary, leadership and strategy for moral and institutional regeneration. But here are some possible challenges to ponder, based on past experience, especially of the Emergency.

In some ways, the fight during the Emergency was simple. It was a fight for the restoration of democracy against authoritarianism, joined by all kinds of forces. At this fraught moment there are two battles. There is a battle against state authoritarianism, its attempts to exercise pervasive control. But there is also the battle against communalism, the attempt to divide society and unleash passions that relegate minorities to second class citizens. They are two sides of the same coin — the government is fomenting both processes. But in society, the two can work at cross purposes. The BJP has a slew of proposed bills, from anti-conversion laws, to a common civil code to population control. Each one of them will, like the CAA, wear the garb of secularism; each one will, in its content, likely smuggle in majoritarianism by disguise. These will pose both tactical and moral challenges.

The tactical challenge will be that they will once again consolidate majoritarian identities, produce that fog of silence in which the CAA will be excused. The moral challenge will be to find a vocabulary and positions that nudge secularism towards freedom and equality for all individuals rather than one that pits minority and majority identities in competition with each other, as our politics often did. The communal axis will be used to divide society so that it cannot unite against the authoritarian state. So, the fight over CAA

The communal and institutional fissures that we are dealing with run within our families, often even within us. The streets would not have become necessary if the normal institutional channels of upholding principles had not failed so miserably. Our institutions failed not just because of political forces, but because, few exceptions apart, so many of teachers, university leaders, Supreme Court judges, policemen, bureaucrats, journalists, corporate leaders, etc. often let us down on basic institutional principles.



OSAMA MANZAR

DEAR MEMBERS OF the board, Internet Society (ISOC), and Public Interest Registry (PIR), who manage the dot org domain: This is in the context of your decision to sell all the assets of PIR to a private company. Have you ever met or interacted with homeless people? Those who may not have a home or a physical address? Similarly, on the World Wide Web, having an address is a must for our existence. All human beings, with any activity they do, need a domain on the internet to belong or to identify with — a digital address.

Dot Org, besides dot ngo, was one such domain that offered entities that do not work for profit, a digital identity. When I have a web address or email ID with dot org as a suffix, people immediately identify me as someone involved in not-for-profit activities.

In other words, dot org is a space that shelters communities involved in charitable activities, be it human rights, poverty alleviation or disaster mitigation: Initiatives which make the world a just place for all humans. In fact, the entire United Nations and all its bodies have a digital home with an extension of dot org.

I would like to give you a glimpse of my personal association with ISOC and PIR that has empowered millions of people and



# HOMELESS ON THE INTERNET

The dot org domain offered non-profit entities a crucial digital identity

thousands of organisations. We have been working with the Internet Society for more than a decade, even though we have known each other for longer — a couple of decades, especially since 2003, when WSIS (World Summit on Information Society) was announced by the UN in Geneva.

While working directly with ISOC, my organisation, Digital Empowerment Foundation, worked on community networks to enable last mile connectivity.

And, in partnership with PIR when it was applying to get dot ngo, we conducted a massive campaign in India to bring communities, non-profits and social organisations online. DEF has a deep network of grassroots organisations in India and South Asia and, together with PIR, we influenced more than 5,000 grassroots organisations to come online with dot org domain in India, Pakistan, Bangladesh, Sri Lanka, Nepal, South Africa, Nigeria, Kenya and many more countries.

Almost all those organisations were homeless on the world wide web prior to that. Now, they have a home, an identity, a face to be recognised as a brand. They enjoy a trust quotient which helps when it comes to issues such as funding and other support that is necessary for them to continue their work of empowerment and impact.

We also worked to get thousands of signatures from community organisations to support PIR in order to get the dot ngo domain. PIR finally got the dot ngo to offer that domain to NGOs per se.

I am particularly aghast and fail to understand why you took the decision to sell dot org. Because PIR was created by ISOC to manage dot org as a not-for-profit company and yet function as a sustainable business. It is very much designed to price each domain in a way that people can easily buy the dot org as extension. And it always earned enough from domain sales to be able to fund itself, and also ISOC. In that sense it has worked like a cash cow without violating any ethics or business practice.

Selling a not-for-profit company to a profit making company itself is a violation of promise, ethics, trust, and breach of ownership of digital property.

Kindly note that each entity that resides on dot org is in the "business" of ensuring the greater good — where the core objective is community and human rights. By not selling dot org, you would not only have saved an organisation, you would have saved those who are making this world a better place.

The writer is founder & director of Digital Empowerment Foundation

## DECEMBER 19, 1979, FORTY YEARS AGO

INDIRA'S ESCAPE STORY THE POPULAR SUSPICION that Indira Gandhi planned to flee the country after her defeat in the 1977 poll has been confirmed by Mohammed Yunus, her close confidant, in his book, *Persons, Passions and Politics*. This was pointed out by Janata Party General Secretary Surendra Mohan. The plan misfired due to alleged "treachery" by R N Kao, then chief of the Research and Analysis Wing. Yunus says: "Kao was the first to alert the Janata leaders about Mrs Gandhi's plan to escape and thus got her passport impounded."

JANATA POLL PROSPECT THE JANATA PARTY general secretary, Nanaji

Deshmukh, said he was confident that his party would come back to the Lok Sabha with an absolute majority. The Janata Party would form a government at the Centre without depending on any one and there was no question of coalition government, he told reporters. His optimism was based on the on-the-spot assessment of his party's poll prospects in the southern states, Maharashtra and Bengal.

MOFATEH KILLED GUNMEN ON MOTORCYCLES assassinated Mohammad Mofateh, a close associate of Ayatollah Ruhollah Khomeini, and two of his bodyguards. Officials immediately blamed

the US. Mofateh, head of Teheran University's theology department, was believed to be the fourth religious leader assassinated since Khomeini's revolution in February. The ruling Revolutionary Council declared in a statement: "This is the work of the CIA and Savak (the deposed Shah's secret police)."

### OPEC PRICES

THE ORGANISATION OF Petroleum Exporting Countries' year-end conference entered its second day with a dispute over oil prices. Saudi Arabia was holding out for no increase in its current base price of \$24 dollars a barrel. Libya has suggested that the price should go as high as \$34.





# The true citizens of India

Students who protest against discriminatory laws and authoritarian ways of government are the real patriots. They offer hope for the future



ALANKRITA SHRIVASTAVA

GROWING UP, I was in an environment where it was normal to engage with what is happening around us — politically and socially. I come from a family of freedom fighters, administrators and public servants. I attended an all girls' boarding school, where we were taught to recognise gender discrimination and protest against it. While at Lady Shri Ram College, we often walked the streets holding candles and placards. Peaceful protest was considered part of everyday life.

When I joined the Mass Communication Research Centre (MCRC) at Jamia Millia Islamia, it was diverse in its range of students. In our batch of 20-odd students, there were people from the Northeast, Delhi, Bhopal, Chennai and Kolkata; people who spoke English, Hindi or Urdu and people whose first languages were neither. There were students of different faiths — Muslims, Christians, Hindus, Parsis, Sikhs.

It was a cacophony of people. We sang songs together, we did street plays together, we worked together on film projects, we went for film festivals together, we partied together, we ate biriyani together, we fought, we had love affairs. We went to the Nizamuddin Dargah often to listen to qawwalis. We roamed every corner of Delhi taking photographs and developing them in our college darkrooms. And every Ramzan was super special because an iftar was hosted every evening by somebody or the other. We discussed our ideological differences. We laughed often, we cried sometimes. It was a time like no other.

Jamia was a breath of fresh air. This was the most liberal corner in Delhi where we interacted with pioneering practitioners of theatre, puppetry, and art. And we were encouraged to think for ourselves. Protest was encouraged. In the first year of college, we went on strike, protesting against some faculty decisions, supporting our seniors in their fight. We sang songs of rebellion and refused to attend class. And it was considered normal.

India has a history of non-violent protest pioneered by Mahatma Gandhi. That's how we understood protest. As rightful, and non-violent. But in today's India, dissent is unacceptable. To protest means risking the wrath of authorities, risking bodily harm and even risking your life.

The idea of India as we knew it is changing so fast. Suddenly, there are people who are spewing venom towards minority communities, letting out their innate bigotry. Many of us are angry and bewildered at the monolithic Hindu-Hindi identity suddenly being thrust upon us.

My maternal grandparents migrated from Pakistan. I learned to read and write Urdu when I was young (it's quite rusty now). I grew up listening to Punjabi, Maithili, English and Hindi. I grew up celebrating Eid and Christmas as well as going to gurudwaras. This is apart from visiting temples, of course. And I, personally, follow a school of Buddhist teachings.

When I see the identity of India being eroded by a manipulative, polarising realpolitik, I want to do something. But I am not re-



CR Sasikumar

ally able to. For those of us on the other side of 35, our idealism long dead, protesting feels too difficult. We are too busy with our jobs and living our lives. At the most we engage in drawing room politics. Plus, we are plagued by fear. Is a protest worth it? What if we incur the wrath of the establishment? No point, we think to ourselves. So we sit quietly on the fence, putting our own comfort first. We lack courage.

But students have hope and passion and integrity. They are not jaded by life, their idealism burns bright. And so we have the bravehearts of Jamia and a thousand other students speaking a truth we find too inconvenient to speak. The students are brave enough to speak out, knowing they are risking their lives by doing so. That's why the authorities are so scared of the voices of students.

We forget that the Emergency imposed by Indira Gandhi ended because of the massive student protests across the country. They fought to protect the values enshrined in the Constitution of India. And many of our current political leaders emerged through the student movements at that time.

It is clear that we are a nation being ruled by an authoritarian government. In a truly free and democratic country, can the police

Students have hope and passion and integrity. They are not jaded by life, their idealism burns bright. And so we have the bravehearts of Jamia and a thousand other students speaking a truth we find too inconvenient to speak. The students are brave enough to speak out, knowing they are risking their lives by doing so. That's why the authorities are so scared of the voices of students. We forget that the Emergency imposed by Indira Gandhi ended because of the massive student protests across the country.

force actually storm into a public university and attack the students who are just going about their lives? The darkness, tear gas, the assaults, the broken bones, the lost eye. Who breaks into a girls hostel? Who breaks into a library? Attacking the student community is to attack the future of the country, it is to attack the conscience of the country.

If there is any hope that the polarisation of India on grounds of religion will come to an end, that there will be a step forward in reducing caste-based discrimination, that hope lies only with the students of India. They are the conscience keepers of our society.

In that sense, students who have the courage to protest against discriminatory laws and the authoritarian tactics of the government are the real patriots. They are the true citizens. They will always be the ones who give voice to the voiceless, who embrace diversity and thus protect the values enshrined in the Constitution. They are the hope for the future. Perhaps, the only hope.

Shrivastava is a screenwriter and director who made the award-winning film, *Lipstick Under my Burkha*. She completed her post-graduation from Jamia Millia Islamia in 2003

## WHAT THE OTHERS SAY

"It's hoped the outside world would view the first China-built aircraft carrier from a positive perspective. China, the second-largest economy in the world, has also become strong militarily."

—GLOBAL TIMES, CHINA

# Not about Hindu and Muslim

BJP under-estimated the CAA effect in the Northeast. It has opened up multiple battle fronts in the region



KHAM KHAN SUAN HAUSING

THE CITIZENSHIP (AMENDMENT) Act, 2019 (CAA) has done for the BJP what 68 years of attempts by various incarnations of the NRC — especially 1951 and 2019 — failed to achieve: To prepare a blueprint for a national register of Indian citizens to suit its cultural and political projects. By conspicuously excluding Muslims from the list of six "persecuted minorities" of the three neighbouring states of Afghanistan, Bangladesh and Pakistan who entered India on or before December 31, 2014, the BJP has aggressively pushed its longstanding commitment to correct a perceived historical wrong committed by Partition and to establish India as a homogenous Hindu homeland.

Using the CAA as a legislative sleight of hand, the BJP is set to legitimise one of its pet political projects in Assam: Overnight ghettoisation of over four million Muslims reportedly excluded in the final NRC list.

In selectively excluding Muslims, the BJP naively assumes that it will draw support from the Assamese people who bore the brunt of "illegal migrants" (read Bangladeshi Muslim migrants). However, by pushing the baseline of acquiring citizenship to December 31, 2014, the BJP has opened up multiple battlefronts in the Northeast.

The anxiety and insecurity unleashed by this is not surprising given the longstanding regional movements to resist the entry of migrant "outsiders" — the Chakmas in Arunachal Pradesh and Mizoram, Brus in Mizoram, and Bengalis in Tripura. The BJP's political managers apparently failed to take seriously this historical complexity when they exacted support from its otherwise reluctant allies like the AGP in Assam, NPP in Meghalaya, and NDPP in Nagaland by inserting an exemption clause for areas covered either under the Sixth Schedule or Inner Line Permit (ILP). The violent protests in Meghalaya and Tripura notwithstanding, their exemption from the purview of the CAA caught the BJP unawares. While Manipur, which was once the locus of protest, maintained a conspicuous silence thanks to its new-found cover under ILP, protests began to emerge in the ILP states of Arunachal Pradesh, Mizoram and Nagaland.

The well-informed segments in these states are conscious about the facile protective mechanism provided by the Sixth Schedule and ILP. Back in the 1990s, sociologist MN Karna has shown how ineffectual the Sixth Schedule is in regulating actual ownership and transfer of tribal lands. It is the fear of tribal land alienation and insecurity about their identity, culture and resources at the hands of migrant "outsiders" and the complicity of tribal elites, a possibility reinforced and made more imminent by the CAA, which propelled violent protests, especially in Meghalaya and Tripura.

Given that states do not have the power to control inter-state migration, a state like

Mizoram which has unsettled problem with the Bru and Chakma migrants, is beginning to realise the mistake made by their MP who timidly underscored the need to frame an anti-minority protection law while the supporting the CAA. Not only has the CAA reinforced the Meitei demand for being listed as a Scheduled Tribe, it has also given momentum to the call for pan-Manipur legislation like the Manipur People's Protection Bill, 2018 which is yet to receive the presidential assent. This and intermittent attempts to extend land reforms laws to the hill areas are seen as clear majoritarian signals to obliterate historical protective discrimination enjoyed by the hill people.

In what is largely seen as a replay of the Assam Agitation of 1979-85, widespread popular and violent protests led by the All Assam Students Union (AASU) and various tribe/ethnic organisations have broken out, leading to an extended imposition of curfews and internet shutdown in 10 districts from December 11 until the Gauhati High Court asked the state to restore internet service on December 17. As the famous *Jai Ai Axom* slogan resonates the air, protesters wearing *gamocha* (the cultural symbol of Assamese subnationalism) targetted Sarbananda Sonowal and Himanta Biswa Sarma. Protesters believe that Sonowal, once hailed as a *Jatiyo Nayok* (national hero), and the AGP sacrificed Assamese *jati* (national) interest at the altar of their ambition for power and pelf. Extending the baseline of acquiring citizenship to December 2014 is also seen as a direct assault on clause 5 of the Assam Accord, 1985, which had fixed the cut-off as March 25, 1971.

A perceptive reading of Assamese subnationalism and Assam's changing historical and political geography show that the CAA entails complex and multilayered issues. For one thing, the globalisation of the tea and oil trade in Assam and the expansion of the British bureaucracy since the latter half of the 19th century drew migrants to the state from across the Subcontinent. As these migrant "outsiders" occupy prime economic, administrative and political positions, they unleash a deep sense of insecurity and anxiety in the minds of local *khilonjias* (loosely translated as indigenous Assamese). Also, Assamese subnationalism is defined by certain distinctive regional markers which refuse to be subsumed within an overarching Hindu nationalist project. This explains why the Assam Agitation (1979-85) and subsequent subnationalist mobilisations are centered around opposition to illegal immigrants and migrant "outsiders" — cutting across religious lines — who allegedly have circumscribed *khilonjias'* access to jobs, identity, culture, land and resources.

In as much as Assam and other parts of the Northeast oppose the CAA and the larger danger of a homogenising Hindu nationalist project, the onus is on regional political elites and the societies at large to accommodate their internal social and cultural diversities. Recent episodes of violent protests in various parts of northeast India and beyond are a stark reminder of the risk of allowing states to be laboratories of a deeply assimilationist, divisive and homogenous project under the garb of the CAA.

The writer is professor of political science, University of Hyderabad

## LETTERS TO THE EDITOR

### CHECKING INFLATION

THIS REFERS TO the editorial, 'The cost of food' (IE, December 18). In its recently-released monetary policy, the Reserve Bank of India revised the CPI inflation figures for December 2019 upwards to 4.7-5.1 per cent from the 3.5-3.7 per cent range predicted in the previous policy. The RBI sees inflation picking up in the near term but expects it to be moderately below target by second quarter of next fiscal. However, given the evolving growth-inflation dynamic, the MPC decided to keep the policy repo rate unchanged.

Vandana Chopra, Chandigarh

THIS REFERS TO the editorial, 'The cost of food' (IE, December 18). When the nation's attention has been drawn to the Citizens Amendment Act, it's heartening that your editorial has taken up issues that require much needed attention. Prior to the introduction of CAB, there were news and memes about onion, GDP growth, unemployment but they seem to have disappeared.

Kanishka Vishal, Bettiah

### SELECTIVE RELIEF

THIS REFERS TO the article, 'Addressing a Partition leftover' (IE, December 18). The CAA is a relief for the minorities who have been persecuted in our

### LETTER OF THE WEEK AWARD

To encourage quality reader intervention, The Indian Express offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to [editpage@expressindia.com](mailto:editpage@expressindia.com) or sent to The Indian Express, B-1/B, Sector 10, Noida-UP 201301.

neighbouring countries. But excluding the Shias and Ahmadis in Pakistan goes against India's secular ethos.

Sidharth Sharma, Mohali

### IGNORE THEM

THIS REFERS TO the editorial, 'Unfree speech' (IE, December 18). Some people from the film industry have adopted cheap routes to hog the limelight. Interestingly every political party issues homilies on free speech but does not want to practice the same.

Deepak Singhal, Chennai



R S SHARMA AND VARAD PANDE

# Aadhaar, 10 years on

To achieve its full potential, it should be made easier and safer to use

ON SEPTEMBER 29, 2010, Ranjana Sonawane, a resident of Tembhi in the tribal district of Nandurbar in Maharashtra received the first Aadhaar number. In less than 10 years, 95 per cent of the adult residents in India have gotten theirs. For a large number of these people, Aadhaar was the first usable ID, in the absence of which they found it difficult to access services.

Do they use it? Yes, about once a month. Equally important, they are satisfied with Aadhaar (92 per cent), trust that the data is safe (90 per cent) and feel that it has made PDS rations, MGNREGS and other social programmes more reliable (80 per cent). These are the findings of the latest State of Aadhaar Report (SoAR) — a study that attempts to capture the impact of Aadhaar in the real world by bringing out voice of the user.

Away from the drawing rooms and seminar halls of experts are people who do not always get enough to eat. For them, exclusion isn't a concept, but a lived reality from which there doesn't seem any escape. Even their rightful dues often fail to reach them. The report finds that nearly 50 per cent of the people have used Aadhaar to access rations, MGNREGS, social pensions, SIM cards or bank accounts for the first time, and that 81 per cent of Aadhaar holders say that they will

provide it if they have a choice of which ID to provide. Sixty one per cent of beneficiaries trust that Aadhaar prevents others from accessing their benefits.

Everyone has compassion for the disadvantaged: The government, political leaders, NGOs, academics, op-ed writers, philanthropists and taxpayers. How do we ensure that we work towards empowering the most vulnerable in a truly objective manner?

This is where carefully designed, large scale studies become important. The State of Aadhaar Report released this year covers 167,000 Indian residents in probably the largest study of its kind. And, it has been prepared under the guidance of balanced technical and advisory panels that include some prominent supporters and critics of Aadhaar.

However, it would be a mistake to read the report for a validation of one's own viewpoint. Instead, it should be studied for the insights that the data provides. These insights can become the basis for the improvement in systems, not only by UIDAI or the government but by everyone who has a stake in improving the economic and societal benefits that depend upon a robust ID system.

For instance, there are some cases where authentication fails because the biometrics are defaced due to age. During the launch of

the report, retired Supreme Court judge, Justice Srikrishna, recounted how he too had trouble in getting authenticated due to the difficulty of scanning his fingerprints. But Justice Srikrishna, in the same breath, also suggested a solution. He pointed out that despite the failure to read his fingerprint, he was not denied entry at passport controls in many countries to which he has travelled. That was possible because someone had the authority to make an exception after proper scrutiny.

The UIDAI has always maintained that there would be individuals for whom biometric authentication does not work. However, failure to authenticate cannot be a reason to deny any services to them and the organisation requesting the authentication must mandatorily provide an exception handling mechanism in such cases. The Supreme Court too has recognised this need in its judgement that upheld Aadhaar's legality.

For those who want to delve deeper into the data to derive insights for their specific needs, there is a useful companion site (<http://stateofaadhaar.in>) where they can access an interactive dashboard. Researchers can also download the entire data and their own analysis. We hope that all stakeholders in the government, non-profit and private

sectors make full use of this opportunity, tease out every lesson and every new question, and share them publicly and widely.

The report indicates a need for the state to double down on the unfinished agenda of ensuring that Aadhaar works for everyone, that is, marginalised groups are enrolled, the process to update records is made simpler, the grievance redress systems are strengthened, and exclusions due to Aadhaar are eliminated.

Aadhaar has touched the life of almost every Indian resident. If there is one learning from the study, it is that the best way to deliver on the promise of Aadhaar is to focus on improving the user experience, making it easier for everyone to use Aadhaar safely every day.

It is only then that the bold bet which began with Ranjana Sonawane in a remote corner of Nandurbar a decade ago, will achieve its full potential.

Sharma was the founding Director-General, UIDAI, and now Chairman, TRAI. Pande was involved in the early implementation of Aadhaar and now works for Omidyar Network India, an investment firm focused on social impact that supports the State of Aadhaar initiative





@ieExplained

#ExpressExplained

If there are questions of current or contemporary relevance that you would like explained, please write to [explained@indianexpress.com](mailto:explained@indianexpress.com)

## THIS WORD MEANS

## HOUBARA BUSTARD

Pakistan gives Qatar royals permits to hunt it. What is this bird?



Asian houbara bustard, which is distinct from the African species. Wikipedia

THE GOVERNMENT of Pakistan has issued special permits to the Emir of Qatar and nine other members of the royal family to hunt the houbara bustard, an internationally protected bird species.

Bustards are large, terrestrial birds that belong to several species, including some of the largest flying birds. The houbara bustard, which lives in arid climates, comes in two distinct species as recognised by the International Union for Conservation of Nature, one residing in North Africa (*Chlamydotis undulata*) and the other in Asia (*Chlamydotis macqueenii*). The population of the Asian houbara bustards extends from northeast Asia, across central Asia, the Middle East, and the Arabian Peninsula to reach the Sinai desert. According to the International Fund for Houbara Conservation (IFHC), roughly 33,000 Asian houbara bustards and over 22,000 of the North African houbara bustards remain today. After breeding in the spring,

the Asian bustards migrate south to spend the winter in Pakistan, the Arabian Peninsula and nearby Southwest Asia. Some Asian houbara bustards live and breed in the southern part of their ranges including parts of Iran, Pakistan and Turkmenistan. According to IFHC, the main reasons for the houbara's decline are poaching, unregulated hunting, along with degradation of its natural habitat.

While Pakistanis are not allowed to hunt the bird, the government invites Arab royals to hunt it every year. This is not the first time the Qatari Prince has got such a permit. According to a report in *Dawn*, he was granted permission to hunt in late 2018 for a sum of \$100,000. The latest person-specific permits will allow the individuals to hunt over 100 houbara bustards over a 10-day safari during the three month hunting season between November 1, 2019 - January 31, 2020. The hunting area is spread over the provinces of Sindh, Balochistan and Punjab.

## TIP FOR READING LIST

## MEMOIRS OF A WWII SECRET GUERRILLA

IN 1940, Britain formed a secret fighting organisation called the Special Operations Executive (SOE). Formed by then Prime Minister Winston Churchill after the defeat of the French Army by the German forces during World War II, and in the wake of Britain's retreat from continental Europe in 1940, the SOE was tasked in Nazi-occupied France to infiltrate and forcefully recruit and train local French résistants to attack the German war machine. Though one of the most important Allied units, it was highly secret during the War.

Now, one of its agents has come out with a book on his experiences in SOE. *They Fought Alone* is written by Charles Glass who, along with John Starr, both Anglo-American recruits and together known as the "Starr brothers", led a group of guerillas, assassins and saboteurs. SOE's mission in Nazi-occupied France was to infiltrate, recruit and train local French résistants to attack the German war machine. In fact,



every country under the Axis rule from the Far East to France came under a section of SOE that recruited locals and equipped them with the training required to challenge their occupation.

SoE went on to become the rival of the Secret Intelligence Service (SIS) or MI6, which did not appreciate this intrusion.

The book mentions, "MI6's method was 'hush-hush', while SOE went for 'boom-boom'."

Glass tells the story about the clandestine organisation and about the ordeals faced by the Starr brothers during and after the war. The author is a journalist who began his career in 1973 with ABC News Beirut bureau and covered among others the Arab-Israeli war and the civil war in Lebanon. For *They Fought Alone*, Glass interviewed surviving wartime Resistance fighters and referenced recently declassified documents from Britain's SOE files, the French archives, family letters and diaries.

SHYAMLAL YADAV  
NEW DELHI, DECEMBER 18

ON MONDAY, Chief Justice of India Sharad Arvind Bobde called for a "filter" to check "abuse" of the Right to Information (RTI) Act. "There is paralysis and fear about this Act. People are not taking decisions... We want to find a way to stop the abuse of RTI Act," he said. Bobde's remarks came a month after the Supreme Court declared the office of the CJI a public authority under the ambit of the RTI. Over the years, the Supreme Court has stressed the importance of transparency under RTI at times, and also remarked on its overuse at other times.

## For a stronger RTI

**DENIAL OF INFORMATION:** On December 16, 2015, in *Jayantilal N Mistry vs Reserve Bank of India*, Justice M Y Eqbal and Justice C Nagappan observed: "It had long since come to our attention that the Public Information Officers under the guise of one of the exceptions given under Section 8 of RTI Act, have evaded the general public from getting their hands on the rightful information that they are entitled to... The ideal of 'Government by the people' makes it necessary that people have access to information on matters of public concern. The free flow of information about affairs of Government paves way for debate in public policy and fosters accountability in Government. It creates a condition for 'open governance' which is a foundation of democracy."

**NGOs UNDER RTI:** In *DAV College Trust and Managing... vs Director of Public Instructions* on September 17, 2019, a Bench of Justice Deepak Gupta and Justice Aniruddha Bose declared that NGOs are not beyond the RTI Act. This was based on an examination of the question whether NGOs are substantially financed by the government. The Bench observed, "In our view, substantial means a large portion. It does not necessarily have to mean a major portion or more than 50%. No hard and fast rule can be laid down in this regard. Substantial financing can be both direct or indirect. To give an example, if a land in a city is given free of cost or on heavy discount to hospitals, educational institutions or such other body, this in itself could also be substantial financing. The very estab-



From left: Former Information Commissioners Yashovardhan Azad, Deepak Sandhu (former CIC), MM Ansari and Shailesh Gandhi with others. Renuka Puri/File Photo

lishment of such an institution, if it is dependent on the largesse of the State in getting the land at a cheap price, would mean that it is substantially financed. Merely because financial contribution of the State comes down during the actual funding, will not by itself mean that the indirect finance given is not to be taken into consideration. The value of the land will have to be evaluated not only on the date of allotment but even on the date when the question arises as to whether the said body or NGO is substantially financed. Whether an NGO or body is substantially financed by the government is a question of fact which has to be determined on the facts of each case."

Because of this observation, the spotlight falls of several NGOs that have been getting public money and were not covered under the RTI. There are societies directly controlled by politicians, but fighting cases that they are not covered under the transparency law.

## Critical of overuse

**TIME CONSUMED IN REPLYING:** In *Central Board of Secondary Education (CBSE) & Anr vs Aditya Bandhopadhyay and Others* in 2011, the Supreme Court said: "The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties."

According to estimates, nearly 60-70 lakh RTI applications are filed in India every year,

and activists have questioned whether addressing these would require 75% of the time of government staff. Several public authorities have used this observation while denying information, ignoring the fact in the same case, the Supreme Court had ordered disclosure of the requisite information.

**PERSONAL AND PUBLIC:** In *Girish Ramchandra Deshpande vs Central Information Commission & Ors* in October 2012, a Bench of Justices K S Radhakrishnan and Dipak Misra observed, "The performance of an employee/officer in an organisation is primarily a matter between the employee and the employer and normally those aspects are governed by the service rules which fall under the expression 'personal information', the disclosure of which has no relationship to any public activity or public interest. On the other hand, the disclosure of which would cause unwarranted invasion of privacy of that individual. Of course, in a given case, if the Central Public Information Officer or the State Public Information Officer of the Appellate Authority is satisfied that the larger public interest justifies the disclosure of such information, appropriate orders could be passed but the petitioner cannot claim those details as a matter of right."

Various public authorities have used this order to deny information on cases/inquiries going on against government officials.

## Genesis of the law

It was the Supreme Court that had sown

VISHNU VARMA

KOCHI, DECEMBER 18

ON TUESDAY, the Ministry of Railways granted in-principle approval for the 'Silver Line' project, a proposal of the Kerala government that involves laying the third and fourth railway lines from Kasaragod in the north to Kochuveli (Thiruvananthapuram) in the south for the movement of semi high-speed trains. The project aims to cut the travel time between the two corners from 12 hours to less than four hours.

## What was the need for such a project?

Kerala's road networks are clogged and experience dense traffic during peak hours. According to data shared by experts, less than 10% of the state's roads handle nearly 80% of the traffic. This also gives rise to accidents and casualties; in 2018, Kerala recorded 4,259 deaths and 31,687 grievous injuries.

Experts have been demanding faster transportation options including railways and waterways. However, the current railway network is congested with a large number of trains, level crossings and sharp curves. The fastest train, plying between Thiruvananthapuram and Kasaragod, takes nearly 12 hours to cover 532 km.

The Silver Line project, conceived at least a decade ago, aims to connect major districts and towns with semi high-speed trains that will run on their own tracks.

## What does the Silver Line project entail?

The 532-km corridor is projected to be built at a cost of Rs 56,443 crore. Trains would complete the journey at four hours instead of 12, with a maximum speed of 200 km/h.

The corridor will be built away from the existing line between Thiruvananthapuram and Thrissur. But in the Thrissur-Kasaragod section, it will run parallel to the existing tracks. The semi high-speed trains will tra-



verse through 11 of the state's 14 districts, Alappuzha, Wayanad and Idukki being the exceptions. There are also plans to connect the corridor with the international airports at Kochi and Thiruvananthapuram. The project is scheduled to be commissioned by 2024.

## Who will implement the project?

The Kerala Rail Development Corporation (K-Rail), a joint venture between the Ministry of Railways and the Kerala government to execute projects on a cost-sharing basis, will be the nodal agency. The government is believed to be looking at external funding agencies. An initial investment is likely to be made by K-Rail for acquiring land. A Detailed Project Report (DPR) will be commissioned soon.

Chief Minister Pinarayi Vijayan said the construction will result in direct and indirect employment opportunities for 50,000 people, and the project once completed would create direct employment for at least 11,000 people.

## AN EXPERT EXPLAINS

## How Ramanna ran his empire of terror, what now for Maoists in Chhattisgarh



R K Vij

RAMANNA, ALSO known as Narendra and Ravulla Srinivas, the central committee (CC) member of the CPI (Maoist) and secretary of Dandakaranya Special Zonal Committee (DKSZC), died recently of acute diabetes and high blood pressure.

When Ramanna took over the reins of the DKSZC from CC member Kosa alias Kadari Satyanarayan in 2011, the "people's liberation guerrilla army" (PLGA) was already a strong force. This wasn't due to the capabilities of Kosa or Ramanna *per se* — rather, the ground was prepared by the Salwa Judum movement that had risen against the Maoists in the Kutru area of Bijapur in June 2005. The Maoists succeeded in brainwashing a section of local people who were opposed to the Salwa Judum, into joining them.

From 2005-10, Maoist recruitments peaked, and they strengthened themselves militarily, politically and organisationally. New Maoist divisions emerged, and military formations were created to step up attacks on security forces and special police officers (SPOs). Realising the challenge from the Salwa Judum, the CPI (Maoist) at its 9th (Unity) Congress in 2007 decided to crush it ruthlessly.

## Ruthless, indiscriminate

Unleashing terror through indiscriminate killings was Ramanna's signature style. He was extraordinarily brutal — wrists and ankles were cut to strip local security personnel of watches and shoes. He had an improvised explosive device (IED) embedded in a jawan's body, intending it to go off during the autopsy. Thirty-five civilians were killed and more than 200 hutments were burnt in his attack on the Errabore relief camp in Sukma in July 2006 — not even children or cattle were spared. Petrol bombs were used in the March 2007 attack in Ranibodli, Bijapur, which left 55 policemen dead and many bodies charred beyond recognition. Ramanna never hesitated to kill sick, off-duty, or defenceless jawans.

In February 2006, Ramanna led the NMDC magazine attack in Kirandul, Dantewada, in which eight CISF personnel were killed and 19 tonnes of explosives were looted. The April 2010 attack engineered by Ramanna, which killed 76 CRPF troopers and one local policeman near Tadmetla in Sukma shook the nation. During the attack on the Congress's "Parivartan Yatra" in Jheeram Ghati in May 2013, senior leader Mahendra Karma was stabbed over 70 times after he had surrendered himself before the Maoists.

Ramanna did not confine his violence to the security forces; during the 2013 elections, an ambulance and a civilian bus were blown up to spread terror.

He used IEDs extensively — in such attacks, victims' bodies are often torn apart so violently that it becomes difficult to ascertain identities. After an electricity department vehicle was blown up in Narayanpur in June 2007, the body parts of the private mechanics had to be collected in bags to be sent to their families for last rites. Faced with a shortage of ammunition, Ramanna, in the DKSZC's 15th meeting in August 2019, asked cadres to use "S-B-R", i.e., sniper attacks, booty traps, and remote IEDs.

## Operation and extortion

Although he himself had a child from his wife Savitri, Ramanna forced junior cadres to have vasectomies and abortions. He claimed to fight for the landless and tribals, but there is no evidence he ever did anything for them.

Development efforts in Bastar received serious setbacks. While destruction of roads and culverts are routine, all of Bastar was plunged into darkness after three high tension wire towers were blown up near Jhara Ghati in Narayanpur in May 2007. Essential services were disrupted for about 11 days, and hospitals all but shut down. After a similar blast in Barsur the following year, the Maoists faced the public's wrath.

Ramanna's operations dealt blows to Bastar's rich tribal culture. Maoists had stopped the custom of the *ghotul* as early as in the 1980s; weekly *haats* too, were later disrupted and businessmen who defied the Maoists were killed.

Under Ramanna, the Maoists extorted a fixed levy per bag of *tendupatta* from contractors, and forced tribals to give them at least a day's income. Road and building contractors, industrialists, transporters, were victims of extortion. The Maoists' annual expenditure in Dandakaranya is estimated to

be about Rs 12 crore; the extortion revenue from *tendupatta* alone is at least Rs 50 crore.

Ramanna enforced election boycotts, and Independence Day and Republic Day were observed as "black days". The 2013 attack on Congress leaders and the murder of a BJP MLA and his securitymen in Dantewada in April 2019 demonstrated their outlook towards democratic institutions.

## The present and future

As the security forces expanded their operations, the Maoists started to move into newer areas. "In order to reduce repression by the security forces in DK and preserve the guerrilla base, we must plan expansion of the party beyond DK," exhorted Ramanna in one of the SZC meetings. In 2014, the Maoists' Central Regional Bureau decided to establish a separate Maharashtra-Pradesh-Chhattisgarh (MMC) zone, and Ramanna sent more than 50 armed cadres there to undertake expansion activities.

The top Maoist leadership has always remained with cadres from Andhra Pradesh. Only three DKSZC members are from Dandakaranya currently; all have a limited profile. Madkam Hidma, who belongs to Sukma and has significant hold

over the local population, is not considered to have the organisational and political ability to take the party forward. Ganesh Uikely alias Paka Hanumantlu, the secretary of the South Sub-Zonal Bureau (earlier called south regional committee), who had been superseded by Ramanna in 2011, might be appointed to the vacant position. The secretary of the North Sub-Zonal Bureau, Raju, who is also known by his aliases Vijaya Juru and K Ram Chandra Reddy, is also in the running. If both these men are overlooked, someone from the CC — like Devji — could be the next DKSZC secretary.

Except for the MMC zone, Maoist activities are in decline everywhere. Fresh recruitment in DK has almost dried up, surrenders have increased, and military formations are smaller. Ganapathy's retirement as CPI (Maoist) general secretary, and now Ramanna's death are significant blows — and provide an opportunity for the security forces to advance vigorously. The two-pronged strategy of development and direct action has worked well, and the 'surrender and rehabilitation' policy has been successful.

(The author is a senior IPS officer in Chhattisgarh. Views are his own.)



## बिज़नेस स्टैंडर्ड

वर्ष 12 अंक 260

## टाटा को झटका

**राष्ट्रीय** कंपनी लां अपील पंचाट (एनसीएलएटी)ने साइरस मिस्त्री को टाटा संस के चेयरमैन के पद पर बहाल कर दिया है और उनके उत्तराधिकारी एन चंद्रशेखरन की नियुक्ति को अवैध ठहराया है। यह फैसला समूचे टाटा समूह के लिए भारी अनिश्चितता लेकर आएगा और साथ ही व्यापक कारोबारी जगत भी इससे प्रभावित होगा। टाटा संस को पब्लिक से प्राइवेट

किए जाने के निर्णय को भी अवैध ठहराया गया और पलट दिया गया। हालांकि निर्णय का क्रियान्वयन चार सप्ताह के बाद किया जाएगा। इस बीच टाटा समूह को यह अवसर दिया गया है कि वह इसका प्रतिवाद कर सके। समूह पर काफी गंभीर आरोप हैं। इनमें अल्पमत अंशधारकों (शापूरजी पलोनजी समूह उनमें से एक है) का दमन, टाटा संस का कुप्रबंधन और

मिस्त्री को चेयरमैन पद से हटाने में अनावश्यक हड़बड़ी शामिल है। यदि एनसीएलएटी का निर्णय समुचित मंच पर बरकरार रहा तो नये प्रबंधन द्वारा लिए गए कई अहम निर्णय जांच के दायरे में आ जाएंगे। इससे अनिश्चितता और बढ़ेगी। टाटा समूह की कंपनियों पर इसका तत्काल नकारात्मक असर देखने को मिला।

एनसीएलएटी के निर्णय से यह स्पष्ट है कि टाटा संस में कई बदलाव होंगे। टाटा समूह पारंपरिक तौर पर देश में कारोबार शासन के बेहतरीन मानक पेश करता रहा है लेकिन एनसीएलएटी का निर्णय बताता है कि टाटा संस में कई तरह की दिक्कतें थीं। यह समूह के लिए और व्यक्तिगत तौर पर रतन टाटा के लिए बड़ा झटका है। पंचाट ने कहा है कि वे समूह में हस्तक्षेप करने से बचें। मिस्त्री की

शिकायत थी कि टाटा के साथ मुद्दों पर चर्चा के लिए निदेशकों ने बोर्ड बैठक बीच में छोड़ दी थी और उन्हें टाटा संस के बोर्ड के बजाय मुद्दों की रिपोर्टिंग अलग से टाटा ट्रस्ट को करनी पड़ती थी। ये दोनों बातें एनसीएलएटी के निर्णय में नजर आईं। ऐसे में यह स्पष्ट है कि टाटा ट्रस्ट और टाटा को टाटा संस में अपनी अभिरुचि को समुचित और पारदर्शी ढंग से प्रबंधित करना होगा। उन्हें इस आरोप का जवाब देना होगा कि होल्डिंग कंपनी का परिचालन कंपनियों में अलंपांश हिस्सेदारी वाला न्यास अहम निर्णय लेता है, न कि परिचालन कंपनियों का बोर्ड अथवा मुख्य कार्यधिकारी। यह प्रबंधन की एजेंसी व्यवस्था का प्रदर्शन है जिसका आधी सदी पहले अंत हो चुका है। टाटा समूह का कॉर्पोरेट ढांचा

बैसा ही अस्पष्ट है और टाटा संस की दोतिहाई हिस्सेदारी न्यासों के पास है। इसका आधुनिकीकरण आवश्यक है।

बहरहाल, इस निर्णय से चेयरमैन की नियुक्ति और उसे हटाए जाने के बारे में व्यापक प्रश्न उठे हैं। एक ऐसा चेयरमैन जिसने बोर्ड तथा प्रमुख अंशधारकों का भरोसा गंवा दिया है वह कैसे पद पर काम जारी रखेगा? मिस्त्री समूह ने आरोप लगाया था कि चेयरमैन को बिना नोटिस दिए हटाया गया जो अवैध है। परंतु तथ्य तो यह भी है कि टाटा संस के नौ में से सात निदेशकों ने मिस्त्री को हटाने के पक्ष में मत दिया था। उम्मीद की जाती चाहिए कि कार्यपालिका और सर्वोच्च न्यायालय एनसीएलएटी के निर्णय के असर का सावधानी से आकलन

करेंगे और जरूरत होने पर उपयुक्त बदलाव करेंगे। पंचाट का यह आकलन पर्याप्त नहीं है कि बहुलांश हिस्सेदारों की मंजूरी से चेयरमैन नियुक्त हो सकता है। अलंपांश धारकों की सहमति की आवश्यकता की बात भी विवादास्पद है। यदि सर्वोच्च न्यायालय इसे पलट नहीं देता तो आम तौर पर कंपनियों पर इस निर्णय के असर के बारे में भी सवाल होना चाहिए। मसलन एनसीएलएटी का जोर है कि अधिसूचना और बिना पंचाट को जानकारी दिए कंपनियों के प्राइवेट होने के बारे में विशिष्ट नियमों के बावजूद, ऐसे मामलों में कंपनी अधिनियम 2013 की मूल आवश्यकताओं का पालन किया जाए। कंपनी मंत्रालय को इस अनिश्चितता को जल्द से जल्द स्पष्ट करना चाहिए।



अजय मोहंती

# व्यापार नीति के मोर्चे पर जहां के तहां हम

बीते पांच वर्षों की बात करें तो व्यापार नीति के मामले में देश वहीं खड़ा है जहां से हमने आगे बढ़ने की शुरुआत की थी। इस संबंध में विस्तार से जानकारी दे रहे हैं राहुल खुल्लर

देश की अर्थव्यवस्था संकट में है और सरकार का आर्थिक प्रबंधन आलोचकों के निशाने पर है। इन बातों से अविचलित सरकारी अधिकारी बुनियाद मजबूत होने की बात कहते हैं। यदि हम अपने अविश्वास को एक पल के लिए परे कर दें तो भी यह सवाल तो बरकरार है कि आखिर अर्थव्यवस्था में नई जान फूंकने के लिए क्या नीति है? केवल बुनियादी चीजें ठीक होने से बात नहीं बनेगी। वर्ष 2014 के बाद से विदेश व्यापार के लिए समुचित रणनीति का अभाव सबसे ज्यादा महसूस किया जा रहा है।

वर्ष 2004-14 के दौरान सहारा देने वाली एक नीति मौजूद थी: इसके तहत शेष विश्व के साथ आर्थिक एकीकरण को बढ़ावा दिया गया, संरक्षण और शुल्क कम किए गए और उद्योग को निर्यात क्षेत्र में प्रतिस्पर्धा को बढ़ावा दिया गया। मुक्त व्यापार समझौते और व्यापक आर्थिक साझेदारी समझौतों की मदद से व्यापार और विदेश नीति के लक्ष्यों को जोड़ा गया। हालांकि सन 2014 तक कुछ उर्नीदापन आने लगा था। परंतु नीतियों में कोई एकरूपता नहीं थी, सार्थक नीति की तो बात ही छोड़ दें। हां, परोक्ष रूप से दिए

जा रहे वक्तव्य और निर्यात संवर्द्धन नीतियों के नाम बदलने का सिलसिला अवश्य जारी था। परंतु इससे कोई नीति तो नहीं बनती। आंकड़े खुद पूरी कहानी बयां करते हैं। सन 2003-04 से एक दशक तक वाणिज्यिक वस्तुओं का निर्यात और आयात क्रमश: 17.3 फीसदी और 19.1 फीसदी वार्षिक की दर से बढ़ा। सन 2013-14 से अब तक के पांच वर्ष में इनकी वार्षिक वृद्धि दर क्रमश: निर्यात के लिए 0.9 फीसदी और आयात के लिए 2.7 फीसदी रही। महा मंदी के आगमन तक व्यापार का विस्तार हो रहा था और मात्रात्मक राहत ने भी इसमें मदद की। अब आप इसे सही समय पर सही नीति मानें या अच्छी तकदीर यह आप पर है।

इसके उलट बीते पांच वर्ष में सरकार ने मानो विपरीत बाह्य परिस्थितियों के समक्ष आत्मसमर्पण कर दिया है। इसमें कितनी सच्चाई है? इन पांच वर्षों में एशिया से होने वाला निर्यात 20 फीसदी बढ़ा। कुछ देशों का प्रदर्शन तो इससे भी बेहतर रहा। बांग्लादेश का वस्त्र निर्यात इस अवधि में 40 फीसदी बढ़ा। अकेले 2018 में मलेशिया और वियतनाम ने क्रमश: 14 प्रतिशत और 15 प्रतिशत की

निर्यात वृद्धि दर्ज की। सच कहा जाए तो कोई विदेश व्यापार नीति थी ही नहीं। तेल कीमतों में गिरावट के रूप में अप्रत्याशित लाभ अवश्य मिला। व्यापार संतुलन बढ़ने के साथ ही यह धारणा बढ़ी कि बाहरी व्यापार में कोई संकट नहीं है। दुख की बात है कि कुछ बातों का पूर्वांनुमान नहीं था। वास्तविक विनिमय दर में इजाफा हुआ और नीतिगत प्रतिक्रिया के अभाव में निर्यात स्थिर हो गया।

मेक इन इंडिया पहल को बढ़ावा देकर विनिर्माण और रोजगार में इजाफा लाने का प्रयास किया गया। दुर्भाग्य से मेक इन इंडिया पहल नारा बनकर रह गई। इससे न तो विनिर्माण को गति मिली और न रोजगार को। जब इसकी शुरुआत हुई थी तब आशंका जताई गई थी कि यह अतीत के आयात प्रतिस्थापन जैसा कदम न साबित हो। दुख की बात है कि हुआ भी ऐसा ही। बीते कुछ वर्षों में संरक्षणवाद में निरंतर इजाफा हुआ है। सबसे पहले 2016 में लोहे और इस्पात की वस्तुओं के लिए न्यूनतम आयात मूल्य तय किया गया। इसके बाद जुलाई और सितंबर 2018 में विभिन्न वस्तुओं का आयात शुल्क बढ़ाया गया। जुलाई 2019 के बजट में स्वर्ण समेत 75

कीमतों में गिरावट की भी हम लाभ न ले सके। तीसरा, वर्ष 2013-14 के बाद के पांच वर्ष में भारतीयों द्वारा विदेशों से भेजे जाने वाले धन में 1.5 फीसदी की वृद्धि हुई है। शुद्ध निवेश आय घाटा इस पांच वर्ष की अवधि में 5.8 फीसदी वार्षिक की दर से बढ़ा। नतीजा: हम अब बाहरी धनप्रेषण पर पहले की तुलना में अधिक निर्भर हैं और चालू खाते के घाटे को प्रबंधनीय स्तर पर रखने के लिए अन्य सेवाओं की बाट जोहनी पड़ रही है।

क्षेत्रीय व्यापक आर्थिक सहयोग साझेदारी से बाहर निकलने का निर्णय खूब सच में रहा। ऐसा प्रतीत होता है कि सरकार एक आवश्यकता को विशेषता बनाने का प्रयास कर रही है। देखा जाए तो कोई ऐसी विदेश व्यापार नीति अथवा अन्य नीति नहीं हो सकती है जो उपचारात्मक उपायों के माध्यम से घरेलू नीति की विसंगतियों को दूर करने के लिए प्रयास कर सके। अतीत की ओर वापसी असर हम देख ही चुके हैं।

# जलवायु परिवर्तन के खिलफे जंग अब लाने लगी है रंग

**टाइम** पत्रिका की पर्सन ऑफ 2019 ग्रेटा थनबर्ग ऐसी एकमात्र शख्सियत हैं जिन्होंने संयुक्त राष्ट्र में खड़े होकर दुनिया के नेताओं की आलोचना की। स्वीडन की यह किशोरी अभी मतदान की उम्र से काफी छोटी हैं। न तो वह वैज्ञानिक हैं और न ही नीति निर्माता। जलवायु परिवर्तन की समस्या के खिलाफ उनकी बातों से पूरी दुनिया में एक व्यापक आंदोलन खड़ा करने में मदद मिली है। लेकिन जलवायु परिवर्तन की समस्या के खिलाफ उनकी मुहिम रंग ला रही है और यह एक बड़े आंदोलन का रूप ले रहा है। कई स्थानों पर युवाओं ने इस मुद्दे पर व्यापक जनसभाएं की हैं जिससे अब लोगों का रुझान इस तरफ बढ़ा है। पिछले दशकों के दौरान जलवायु परिवर्तन पर हुई बहस और बैठकों की तुलना में युवाओं का आंदोलन ज्यादा कारगर रहा है। ग्रीनहाउस प्रभाव के कारण धरती का तापमान बढ़ने से जलवायु परिवर्तन हो रहा है। सौर उष्मा के फंसने से पृथ्वी गर्म होती है। दिन के समय वायुमंडल और पृथ्वी की सतह धूप और उष्मा सोखती है। रात के समय पृथ्वी की सतह वायुमंडल में उष्मा छोड़कर ठंडी होती है। इसमें से कार्बन डाई ऑक्साइड और मीथेन जैसी ग्रीनहाउस गैसों की मौजूदगी के कारण कुछ उष्मा सोख ली जाती है। ग्रीनहाउस गैसों की मात्रा बढ़ने पर औसत तापमान भी बढ़ता है। इसका एक और भयावह प्रभाव होता है। इससे मौसम के चक्र में बदलाव होता है जिससे बेमौसम चक्रवाती तूफान आते हैं, बर्फ के पिघलने से समुद्रतल का स्तर बढ़ता है, गर्मियों का मौसम औसत से ज्यादा गरम और लंबा होता है। शताब्दियों पहले इस बात को समझ लिया गया था। जोसफ फूरियर जैसे वैज्ञानिकों ने 1820 के दशक में इसकी संभावना पर चर्चा की थी। वर्ष 1903 में रसायन शास्त्र को नोबेल पुरस्कार जीतने वाले स्वीट् ऐरेहीनियस ने वायुमंडल में कार्बन डाईऑक्साइड की मात्रा दोगुनी होने की संभावना पर उसके प्रभावों के बारे में एक मॉडल बनाया था। जलवायु परिवर्तन शब्द 1900 के दशक की शुरुआत में आया था। (ऐरेहीनियस थनबर्ग के दूर के पूर्वज हैं।)

औद्योगिक क्रांति के बाद विकसित अधिकांश प्रौद्योगिकी जीवाश्म ईंधन पर आधारित है। जीवाश्म ईंधन जलने से कार्बन डाईऑक्साइड और अन्य ग्रीनहाउस गैसें पैदा होती हैं। ग्रीनहाउस गैस उत्सर्जन के कारण जलवायु परिवर्तन प्रभावों के सटीक मॉडल की शुरुआत 50 साल पहले 1970 के दशक में हुई थी। वैज्ञानिक संदर्भ में ये अध्ययन सटीक थे। एक नए अध्ययन के मुताबिक 1970 से 2007 के बीच जारी किए गए 17 मॉडलों में से 14 में ऐसे प्रभावों का अनुमान जताया गया था जो हम आज देख रहे हैं। जलवायु परिवर्तन के प्रभावों के बारे में वैज्ञानिकों के बीच आम सहमति है और हर वह उद्योगों के अलावा कई राजनीतिज्ञ भी इस वैज्ञानिक वास्तविकता से इनकार करते आए हैं। जलवायु परिवर्तन को खारिज करने वाली राजनेताओं की इस शक्तिशाली लॉबी में उन देशों के राजनेता शामिल हैं जो ग्रीनहाउस गैसों के उत्सर्जन में शीर्ष पर हैं। साथ ही जीवाश्म ईंधन का निर्यात करने वाले प्रमुख देशों के नेता भी इस जमात का हिस्सा हैं। डॉनल्ड ट्रंप और जेयर बोलसोनारो ने सार्वजनिक रूप से थनबर्ग की उपेक्षा की है। व्लादीमिर पुतिन भी इसे खारिज करते आए हैं। लेकिन कुछ सकारात्मक बदलाव हुए हैं। ज्यादातर देशों अब पेरिस समझौते को गंभीरता से ले रही हैं। शायद इसकी वजह यह है कि राजनेताओं के बच्चों ने इसमें पहल शुरू कर दी है। ब्रिटेन ने शून्य उत्सर्जन विधेयक पारित किया है। यूरोपीय संघ पेरिस समझौते का पालन नहीं करने वाले देशों से प्रभावित होंगे और कम से कम 12 करोड़ लोग गरीबी की रेखा से नीचे चले जाएंगे। ऐसा 2030 तक हो सकता है। दुर्भाग्य से वैज्ञानिक आम सहमति का मतलब भूराजनीतिक आम सहमति नहीं है। दुनियाभर के देशों को इस समस्या से निपटने के लिए उपाय करने की जरूरत

### कानाफूसी

#### दंड-बैठक का दंड

मध्य प्रदेश के इंदौर जिले के राऊ कस्बे के लोग घनी आबादी वाले इलाकों में तेज गति से बस चलाने वाले बस चालकों को दंडस्वरूप दंड-बैठक लगाने को कहते हैं। इसकी एक वीडियो क्लिप सोशल मीडिया पर वायरल हुई है। वीडियो में पांच बस चालकों को बस की छत पर दंड-बैठक लगाते देखा जा सकता है। राऊ नगरपालिका के प्रमुख शिवनारायण दीँग कहते हैं कि इंदौर से महु, मानपुर और पीथमपुर तक बस चलाने वाले बस चालक लोगों की जान की परवाह नहीं करते और संकरी सड़कों पर बेहद तेज गति से बसें चलाते हैं। वे जल्दी जाकर पहले सवारी बटोरने के लिए ऐसा करते हैं। उन्होंने कहा कि उनके इतनी हड़बड़ी में बस चलाने से कई लोगों की जान भी जा चुकी है। ऐसे में इस तरह का दंड उन्हें आगाह करेगा कि वे सावधानी से बस चलाएं।

#### प्लास्टिक के फूलों से जंग

देश में एक बार इस्तेमाल होने वाले प्लास्टिक पर प्रतिबंध लग चुका है। परंतु ऐसा लग रहा है कि कुछ सरकारी विभाग एकल इस्तेमाल वाले प्लास्टिक के प्रयोग पर रोक के मामले में सीमा पार कर चुके हैं। कैबिनेट सचिवालय ने हाल ही में रेलवे को एक निर्देश जारी करके कहा कि प्लास्टिक के फूलों और गुलदस्तों के इस्तेमाल को कम या समाप्त किया जाए। यह निर्देश उन संगठनों को प्रसन्न करेगा जिन्होंने लंबे अरसे से प्लास्टिक के फूलों के इस्तेमाल के खिलाफ जंग छेड़ रखी है। उनका आरोप है कि ऐसे फूलों का इस्तेमाल असली फूलों का कारोबार करने वालों की परेशानी का सबब बना हुआ है।



### आपका पक्ष

#### देश में महिला-पुरुष की असमानता गंभीर

महिला और पुरुष समानता में भारत चार पायदान फिसल कर 112वें स्थान पर आ गया है। साल भर पहले भारत का स्थान 108वां था। महिला और पुरुषों के बीच विभिन्न क्षेत्रों में बढ़ते फासले से संबंधित विश्व आर्थिक मंच की रिपोर्ट में यह जानकारी दी गई है। महिला और पुरुष अंतर रिपोर्ट में भारत का स्थान चीन के 106, श्रीलंका के 102, नेपाल के 101, ब्राजील के 92, इंडोनेशिया के 85 और बांग्लादेश के 50 से भी नीचे है। इस रिपोर्ट के मुताबिक महिला और पुरुष असमानता को चार कारकों में बांटा गया था जिसमें महिलाओं को उपलब्ध आर्थिक अवसर, राजनीतिक सशक्तीकरण, शैक्षणिक उपलब्धियां तथा स्वास्थ्य एवं जीवन प्रत्याशा है। इस रिपोर्ट के आंकड़े बेहद चिंतनीय है क्योंकि भारत अपने पड़ोसी देश चीन, नेपाल, श्रीलंका और बांग्लादेश से भी नीचे है। देश में महिलाओं को समान अवसर प्राप्त



नहीं होते हैं जिससे उनकी भूमिका सिर्फ गृहिणी तक सिमट कर रह जाती है। कार्यक्षेत्र में देखें तो निजी क्षेत्रों में महिलाओं को रोजगार प्राप्त करने में काफी पशक्वत करनी पड़ती है। इसकी मुख्य वजह महिला कर्मियों द्वारा छुट्टी की अधिक मांग करना, गर्भवती होने पर लंबी छुट्टी पर जाना तथा घर की जम्मेदारी संभालने के लिए

**महिला और पुरुष समानता में भारत चार अंक फिसलकर 112वें स्थान पर आ गया**

छुट्टी की मांग करना आदि है। इसके अलावा महिला कर्मियों को रात की पाली में काम करने में परेशानी भी एक वजह है। विश्व आर्थिक मंच के अनुसार महिला

**पाठक अपनी राय हमें इस पते पर भेज सकते हैं : संपादक, बिजनेस स्टैंडर्ड, 4, बहादुर शाह जफर मार्ग, नई दिल्ली - 110002. आप हमें ईमेल भी कर सकते हैं : lettershindi@bmail.in पत्र/ईमेल में अपना डाक पता और टेलीफोन नंबर अवश्य लिखें।**

विरोध करने के लिए सड़कों पर उतर आए। लोकतंत्र में सरकार की नीतियों का विरोध करने का अधिकार सभी नागरिकों को है लेकिन विरोध की आड़ में हिंसा पर उतारू होना सरासर गलत है। नागरिकता कानून को कुछ लोग धर्म के नाम पर और कुछ लोग राजनीति करने के लिए इसका समर्थन और विरोध कर रहे हैं। विरोध करने वाले सड़कों पर उतर रहे हैं वहीं कुछ लोग सोशल मीडिया पर इसका विरोध कर रहे हैं। इस कानून के विरोध या समर्थन में लोग सोशल मीडिया पर ऐसी बात कर रहे होंगे जो किसी व्यक्ति की धार्मिक भावनाओं को ठेस पहुंचाने वाली हो। सरकार, प्रशासन और पुलिस को सोशल मीडिया पर गंभीरता से नजर रखने के लिए पुख्ता इंतजाम करने चाहिए, ताकि नागरिकता कानून के विरोध में हिंसा की चिंगारी को शराती तत्वों द्वारा सोशल मीडिया के जरिये नहीं भड़काया जा सके। न्यूज चैनलों को भी इस मुद्दे पर बहस करने से बचना चाहिए।

*राजेश कुमार चौहान, जालंधर*





दैनिक जागरण

यदि गलती सुधारना चाहते हैं तो पहले उसे स्वीकार करना सीखिए

## नागरिकता कानून की परख

सुप्रीम कोर्ट ने नागरिकता संशोधन कानून पर रोक लगाने की मांग को जिस तरह अस्वीकार किया उससे एक बड़ी हद तक इस प्रचार की हवा ही निकली कि यह कानून इस कदर संविधान विरोधी है कि तुरंत खारिज हो जाएगा। यह भी उल्लेखनीय है कि सुप्रीम कोर्ट ने नागरिकता संशोधन कानून के खिलाफ दायर याचिकाओं पर केंद्र सरकार से जवाब मांगते हुए इस मामले की सुनवाई को लेकर वैसी कोई तत्परता नहीं दिखाई जैसी तमाम याचिकाकर्ता चाह रहे थे। अब जब सुप्रीम कोर्ट में नागरिकता कानून की संवैधानिकता की परख तय हो गई है तब फिर क्या यह उचित नहीं होगा कि उसका हिंसक विरोध करना बंद किया जाए? कम से कम उन्हें तो यह काम करना ही चाहिए जो संविधान, लोकतंत्र और न्याय की दुहाई देने लगे हुए हैं। दुर्भाग्य से इसके आसार कम ही हैं, क्योंकि इस कानून के अराजक विरोध के पीछे एक बड़ी वजह अज्ञानता भी है और शरारत भरी राजनीति भी। इसी राजनीति के तहत नागरिकता कानून को लेकर सुनिश्चित तरीके से झूठ फैलाया जा रहा है। जो इस सच से परिचित हो रहे हैं कि नागरिकता कानून का किसी भी भारतीय नागरिक से कोई लेना-देना नहीं उन्हें प्रस्तावित एनआरसी से भयाक्रांत करने की कोशिश हो रही है। कोई एनआरसी को नागरिकता कानून का हिस्सा बताने में जुटा है तो कोई उसे धार्मिक आधार पर नागरिकों की पहचान की कवायद साबित करने की कोशिश कर रहा है। इसे शरारत के अलावा और कुछ नहीं कहा जा सकता, क्योंकि अभी तो प्रस्तावित एनआरसी की प्रक्रिया ही नहीं तय की गई है।

नागरिकता कानून को लेकर जारी दुष्प्रचार के खिलाफ केंद्र सरकार को और अधिक सक्रियता दिखाने की आवश्यकता इसलिए है, क्योंकि यह साफ है कि कई राजनीतिक और गैर राजनीतिक संगठन लोगों को बरगलाकर अपना उल्टू सीधा करने में लगे हुए हैं। वास्तव में इसी कारण नागरिकता कानून का विरोध थमने का नाम नहीं ले रहा है। नागरिकता कानून को लेकर किस तरह राजनीतिक रेंटियां सेंकने का काम हो रहा है, इसका संकेत इससे भी मिलता है कि सुप्रीम कोर्ट में इस कानून के खिलाफ दायर करीब साठ याचिकाओं में से एक बड़ी संख्या में राजनीतिक दलों या फिर नेताओं ने दायर की है। यह कोई नई-अनोखी बात नहीं, लेकिन यह तो विचित्र है ही है कि नागरिकता कानून पर सुप्रीम कोर्ट का दरवाजा खटखटाने वाले दल लोगों को सड़कों पर उतरने के लिए ए कसावा रहे हैं। इनमें वे भी शामिल हैं जो एक समय बांग्लादेश और पाकिस्तान में सताए गए अल्पसंख्यकों के लिए वैसी ही राहत चाह रहे थे जैसी उन्हें नागरिकता संशोधन कानून के जरिये दी जाने वाली है।

## कार्यशैली पर सवाल

उत्तराखंड परिवहन निगम की कार्यशैली पर अक्सर सवाल उठते रहे हैं। इसी कड़ी में एक बार फिर निगम सुर्खियों में हैं। अब टाटा कंपनी से 150 नई बसें खरीदने का मामला चर्चा में है। खामियों से भरी इन बसों को हालांकि परिवहन निगम कंपनी को वापस कर रहा है और बताया जा रहा है कि सभी बसों का गियर बॉक्स बदला जाएगा, लेकिन सवाल यह है कि बस खरीद से पहले विभिन्न प्रक्रियाओं को पूरा किया गया, फिर खराब बसें कैसे पहुंच गईं। यहां तक कि परिवहन निगम के अधिकारी इसके लिए गोवा भी गए। मामला तब खुला जब चालकों ने बसों का परीक्षण किया। पता चला कि बसों का गियर लीवर सही नहीं है। अब दिल्ली के सेंट्रल इंस्टीट्यूट ऑफ रोड ट्रांसपोर्ट (सीआईआरटी) की रिपोर्ट में साफ कर दिया गया है कि गियर लीवर खराब हैं। जांच में यह भी पता चला कि गियर लीवर के मेन प्लाइट के ठीक पीछे जो यात्री सीट दी गई है, वह खतरनाक है। यात्री का पांव गियर लीवर से टकरा सकता है और इससे हादसे का खतरा है। यह अलग बात है कि मामले के तूल पकड़ने पर हरकत में आए अफसरों ने बसों की तकनीकी जांच सेंट्रल इंस्टीट्यूट ऑफ रोड ट्रांसपोर्ट दिल्ली से कराने के आदेश भी दिए। साथ ही टाटा कंपनी को होने वाले 37 करोड़ के भुगतान पर भी रोक लगा दी गई। बात सिर्फ इतनी ही नहीं है, अशोक लीलैंड की बसों में भी खामियां सामने आई हैं। परिवहन निगम ने बसों का जो डिजाइन कंपनी को सौंपा था, उसका अनुपालन ही नहीं किया गया। साफ है कि परिवहन निगम की कार्यप्रणाली में कहीं तो खोत है। आखिर निगम की टेक्निकल टीम ने पहले इन खामियों को क्यों नहीं पकड़ा। यदि परिवहन निगम के पास बसों की खरीद से पहले के परीक्षणों के लिए फुलप्रूफ सिस्टम है तो ये नौबत क्यों आई। सवाल यह भी है कि सिर्फ टाटा ही नहीं, अशोक लीलैंड से खरीदी जाने वाली बसों में कमियां दिखाईं। बात सिर्फ यही खत नहीं होती, निगम के कुछ परिचालक सवारियों को बेंटिकट यात्रा कराने से नहीं हिचकिचाते तो बसों में अवैध तरीके से सामान ढोने के मामले भी सामने आते रहे हैं। इस पूरे प्रकरण को हलके में नहीं लिया जा सकता। वजह यह है कि परिवहन निगम में हजारों यात्री सफर करते हैं और यह उनकी सुरक्षा का सवाल है। जरा सी चूक सैकड़ों जिंदगियों पर भारी पड़ सकती है। यह सही है कि दोनों कंपनियों को बसों को दुरुस्त करने को कह दिया गया है, लेकिन इतना ही पर्याप्त नहीं है। परिवहन निगम को अपने सिस्टम को दुरुस्त करना होगा। लापरवाह अफसरों के खिलाफ सख्त कार्रवाई कर संदेश देने की भी जरूरत है।

# पीड़ा देता हिंसक वातावरण

अंशुमाली रस्तोगी

यह हमें क्या हो गया है? किस राह चल पड़े हैं हम? जिधर आंख उठाकर देखो, उपर ही हिंसा और उपद्रव नजर आ रहा है। सड़कों पर जो हिंसा है वह तो है ही, सोशल मीडिया पर भी यही सब रात-दिन चल रहा है। भड़काऊ तस्वीरें, बयान, बातें वहां परीसी जा रही हैं। लिखने की आजादी है तो क्या कुछ भी, बिना सोचे-समझे, लिखेंगे। हर कोई लिखा पड़ा है, राजनीति की गंगा में अपने हाथ धोने। इस पर खुद ही लगाम कसिए। क्या सोशल मीडिया पर यही सब करने के लिए आए थे हम! यह मंच हिंसा पैदा करने के लिए तो नहीं था! एक जरिया हमें मिला था अपनों से जुड़े रहने का। दुनिया को खुद से जोड़े रखने का। दूरियों को कम करने का। अपनी बात को अपने तक ही सीमित न रख, पूरी दुनिया में फैलाने का। गू रिश्ते कायम कर उन्हें नया नाम, नई पहचान देने का। वक्त-जरूरत किसी की मदद करने का। अपने विचारों को लिखने और दूसरे के विचारों को पढ़ने का। तर्कपूर्ण बहस करने का। कुछ अच्छा पढ़ने का। किंतु हमने तो इस खूबसूरत माध्यम को अपनी कुत्सित राजनीति

अपनी ही आंखों के सामने अपने ही देश, समाज और नागरिकों को जलते देखना भला किसे अच्छा लगेगा

और सांप्रदायिक सोच से नष्ट कर डाला।

कोई भी संवेदनशील व्यक्ति किसी भी तरह की हिंसा और उपद्रव को सहन नहीं करेगा। उसे हिंसात्मक वातावरण पीड़ा देगा। अपनी ही आंखों के सामने अपने ही देश, समाज और नागरिकों को जलते देखना भला किसे अच्छा लगेगा। हिंदू-मुसलमान होने से पहले हम एक इंसान हैं, यह मत भूलिए। मन में एक-दूसरे के प्रति ईशानियत का भाव रखते हैं, लेकिन किसी की भी बहकावे में आकर हम अपनों के दुश्मन बन जाएं, किना कठिन है इसे जन्म कर पाना। जरा सोचिए। कितनी खराब आदत बना ली है हर मसले को 'राजनीतिक रंग' देने की। नेता तो राजनीति का दांव खेल निकल लेंगे, मगर हम-आप कभी धर्म तो कभी जाति को संकीर्णताओं में बांट दिए जाएंगे। मत भूलें हम हिटलर के नहीं भगत सिंह, विवेकानंद, गांधी,

आजाद, डॉ. आंबेडकर के देश हैं। कितने ही क्रांतिकारियों ने अपनी जान की बाजी लगाकर इस देश को ब्रिटिश साम्राज्य से मुक्त करवाया था। उन्होंने कभी हमें बंटने नहीं दिया। देश की एकता को मजबूत रखा। खुद फना हो गए, ताकि हम और हमारी पीढ़ियां एक आजाद और सुरक्षित जीवन जी सकें। ऐसा कुछ भी गलत अपने देश में न होने दें कि पड़ोसी मुल्क हम पर हसे। निरंतर फैल रही हिंसा को हल ही करना होगा। देश की धर्मनिरपेक्षता और लोकतांत्रिक मूल्यों को बचाना होगा। अभी हाल ही में हमने गांधी की 150वीं जयंती मनाई है। उनके दिखाए-बाता रास्तेों पर चलने का प्रण लिया है, गांधीवाद और गांधी-मार्ग की तारीफ की है। फिर, उसके बाद यह बहशीपन! जरा ठंडे दिमाग से सोचिए इस पर कि हम यह क्या और क्यों कर रहे हैं? यह मुल्क हम सब का है। इसकी साझी विरासत है। क्यों आते हैं किसी के बहकावे में। अपनी बुद्धि का इस्तेमाल कीजिए। इस हिंसा का जवाब देना होगा हमें अपनी ओर वाली पीढ़ी को। जरा बताएं, उनसे आंखें मिलाकर क्या दे पाएंगे हम उन्हें जवाब? बोलें।

(लेखक स्वतंत्र टिप्पणीकर है)



जगदीप एस छेकर

जेएस वर्मा समिति के इस निष्कर्ष की अनदेखी जारी है कि चुनावी प्रक्रिया में ठोस सुधार किए बिना महिलाओं के विरुद्ध अपराधों में कमी करना असंभव है

हैदराबाद में एक पशु चिकित्सक युवती के साथ सामूहिक दुष्कर्म और उसकी हत्या कर उसके शव को जलाने की जो नृशंस घटना घटी उससे पूरे देश में गम और गुस्सा दिखाई दिया। देश भर के लोगों का रोष स्वाभाविक भी था, लेकिन जो आक्रोश संसद में और संसद के बाहर विभिन्न दलों के नेताओं ने जाहिर किया वह कुछ अटपटा-सा लगा। अटपटा इसलिए कि जो नेता इस बर्बरता पर इतना आक्रोश दिखा रहे थे उन्हें यह बात क्यों नहीं याद आई कि उनके अपने ही दल इसी मुद्दे पर क्या करते हैं? इस घटना पर छह दलों के नेताओं ने सबसे अधिक आक्रोश जताया। ये दल हैं समाजवादी पार्टी, द्रविड़ मुनेत्र कथगम, तृणमूल कांग्रेस, भारतीय जनता पार्टी, बहुजन समाज पार्टी और कांग्रेस। इनमें से दो दलों भाजपा और कांग्रेस ने 2019 के लोकसभा चुनाव में ऐसे उम्मीदवारों को टिकट दिए जिन्होंने अपने शपथपत्र में लिखा था कि अदालतों में उनके विरुद्ध दुष्कर्म के मुकदमे चल रहे हैं। ऐसे लोगों को टिकट देने में ये दो दल अकेले नहीं हैं। राष्ट्रवादी कांग्रेस पार्टी, वाइएसआर कांग्रेस पार्टी और भारतीय जनता पार्टी जैसे कई उम्मीदवारों को टिकट दिए, जिनके विरुद्ध दुष्कर्म के मुकदमे चल रहे थे। बाकी आक्रोश दिखाने वाले नेताओं के दल भी इसमें पीछे नहीं हैं। उन्होंने 2019 के लोकसभा चुनाव में दुष्कर्म के मुकदमे वालों को टिकट भले ही न दिया हो, लेकिन उनकी पृष्ठभूमि कोई बाकी दलों से अलग नहीं है। बसपा ने लगातार तीन

लोकसभा चुनावों 2004, 2009 और 2014 में दुष्कर्म के आरोप वाले उम्मीदवारों को टिकट दिए। सपा ने भी ऐसा ही किया था। इसकी भी अनदेखी नहीं की जा सकती कि बीते दिनों उन्नाव के चर्चित दुष्कर्म मामले में जिस कुलदीप सिंह सेंगर को दोषी करार दिया गया वह भाजपा से निष्कासित विधायक है।

किसी भी समाज के लिए वह बहुत दुखदाई होगा कि उसकी संसद में ऐसे सदस्य हों, जिन पर दुष्कर्म जैसे घृणित अपराध के आरोप लगे हों। खेद है कि हमारी वर्तमान संसद में तीन सदस्य ऐसे हैं जिन पर दुष्कर्म के मुकदमे चल रहे हैं। ये तीन सांसद भाजपा, कांग्रेस और वॉईएसआर कांग्रेस पार्टी का प्रतिनिधित्व करते हैं। यह तो देश की सर्वोच्च पंचायत और लोकतंत्र के मंदिर संसद का हाल है। अगर हम विधानसभाओं में जाएं तो वहां की हालत तो और भी खराब है। अगर दुष्कर्म से आगे बढ़कर ऐसे उम्मीदवारों या विधायकों की संख्या देखें जो 'महिलाओं के विरुद्ध आरोपों' में आरोपित हैं तो वह संख्या और भी अधिक हो जाती है। सवाल है कि दुष्कर्म के खिलाफ नेताओं का यह आक्रोश दिखावटी क्यों है?

आज से करीब सात साल पहले हैदराबाद जैसी बर्बर दुष्कर्म की घटना दिल्ली के वसंत विहार इलाके में घटी थी। चूंकि यह बर्बरता देश की राजधानी में हुई इसलिए उसे लेकर विरोध-प्रदर्शन कहीं ज्यादा देखने को मिला। यह रोष जनता में तो था ही, राजनीतिक दलों के नेताओं ने भी उसकी बहुत भर्त्सना की और कानून को



अवधेश राजपूत

और भी सख्त बनाने की मांग की। इस विरोध के कारण तत्कालीन केंद्र सरकार ने उच्चतम न्यायालय के सेवानिवृत्त मुख्य न्यायाधीश जेएस वर्मा की अध्यक्षता में एक उच्चस्तरीय समिति बनाई। उसे देश के आपराधिक कानूनों की समीक्षा करने का काम सौंपा गया। साथ ही यह बताने के लिए कहा गया कि आखिर इन कानूनों में ऐसे क्या बदलाव किए जाएं कि महिलाओं के विरुद्ध अपराध करने वालों के खिलाफ मुकदमे बिना किसी विलंब के चलें? किस तरह ऐसे मामलों की त्वरित सुनवाई कर दोषियों को और भी कड़ी सजा दी जा सके? इसमें कोई दो राय नहीं कि जेएस वर्मा समिति ने बहुत मेहनत से काम किया। उसने 30 दिनों में ही सरकार को अपनी रिपोर्ट सौंप दी। रिपोर्ट में उसने बहुत सारे सुझाव दिए। उन सुझावों के आधार पर कानून में कुछ छोटे-मोटे बदलाव किए गए, लेकिन जैसा कि देख सकते हैं कि अपराधियों पर उनका कोई खास असर नहीं हुआ। हैदराबाद की जघन्य घटना से भी यह

साबित होता है।

जेएस वर्मा समिति ने अपनी रिपोर्ट में 44 पृष्ठों का एक अध्याय भी लिखा था, जिसका शीर्षक है 'चुनाव सुधार'। उस अध्याय में लिखा है कि देश में महिलाओं के विरुद्ध अपराध रोकने के लिए चुनावी प्रक्रिया में सुधार करना अत्यंत आवश्यक है। दूसरे शब्दों में कहें तो चुनावी प्रक्रिया में ठोस सुधार किए बिना महिलाओं के विरुद्ध अपराधों में कमी करना असंभव है। समिति ने यह भी कहा था कि जब तक संसद में ऐसे लोग बैठे होंगे जो आपराधिक मामलों में आरोपी हैं तब तक देश की कानून बनाने की शैली और तौर-तरीकों पर भी विश्वास करना बहुत कठिन है। समिति ने लिखा कि वह यह जानकर चकित रह गई कि उस समय छह विधायक ऐसे थे जिन्होंने स्वयं शपथ लेकर लिखा था कि उनके विरुद्ध दुष्कर्म के मुकदमे चल रहे हैं। समिति इस पर भी बहुत चकित हुई थी कि पिछले पांच वर्षों में विभिन्न राजनीतिक दलों ने विधानसभा चुनावों

# अज्ञानता से उपजा हिंसक विरोध

संसद से नागरिकता संशोधन विधेयक के पारित होने और उसके कानून का रूप लेने के बाद देश का माहौल यकायक बदल गया। इसका देश

के कई हिस्सों में विरोध हो रहा है। बंगाल और दिल्ली में तो विरोध के नाम पर बड़े पैमाने पर आगजनी और डेराफेड़ देखने को मिली। इस हिंसा में सरकारी और गैर सरकारी संपत्ति को भारी नुकसान पहुंचाया गया। इस कानून को लेकर हर किसी के पास कुछ न कुछ कहने को है, लेकिन नागरिकता कानून कोई नया कानून नहीं है। इसमें तो संशोधन कर यह व्यवस्था भर की गई है कि बांग्लादेश, पाकिस्तान और अफगानिस्तान में धार्मिक आधार पर उत्पीड़न के शिकार आने अल्पसंख्यकों को तय प्रक्रिया के तहत नागरिकता दी जाएगी जो दिसंबर 2014 के पहले भारत आ चुके हैं। केवल अल्पसंख्यकों को इसीलिए शामिल किया गया है, क्योंकि बांग्लादेश, पाकिस्तान और अफगानिस्तान में इस्लाम राजकीय धर्म है।

इसका विरोध कर रहे लोग इस कानून को वापस लेने की मांग करते हुए यह भी कह रहे हैं कि उन्हें एनआरसी यानी राष्ट्रीय नागरिकता रजिस्टर स्वीकार नहीं। लोकतांत्रिक देश में कोई किसी भी कानून का विरोध कर सकता है, लेकिन अभी तो विरोध के बहने हिंसा अधिक हो रही है। इसी कारण सवाल उठ रहे हैं कि आखिर यह विरोध हो रहा है या फिर अराजकता फैलाई जा रही है? हालांकि प्रधानमंत्री और गृहमंत्री की ओर से बार-बार यह कहा जा रहा है कि नागरिकता कानून का किसी भी भारतीय नागरिक से कोई वास्ता नहीं और यह कानून तो उत्पीड़न के कारण भारत आए लोगों को नागरिकता देने का है, न कि किसी की नागरिकता लेने का, फिर भी विरोध के नाम पर हिंसा का सहारा लिया जा रहा है। जिन तीन पड़ोसी देशों में उत्पीड़न के शिकार लोगों के पास भारत भाग आने के अलावा यह कोई विकल्प है तो यही कि या तो वे मारे जाएं या फिर अपना धर्म त्याग दें। क्या एक हकीकत नहीं और क्या इसी कारण बांग्लादेश, पाकिस्तान में अल्पसंख्यक लगातार तेजी से कम नहीं होते जा रहे हैं? नागरिकता कानून का पूर्वोक्त में जो विरोध हो रहा है वह शेष देश के विरोध से अलग है। पूर्वोक्त के लोगों को भय है कि पड़ोसी देश से आए लोगों को यह नागरिकता मिली तो उनकी संस्कृति और भाषा के लिए खतरा पैदा हो जाएगा। ऐसे किसी खतरे की आशंका शेष देश के लोगों को नहीं-भले ही वे हिंदू हों या मुसलमान, फिर भी आम मुसलमानों में यही डर भर जा रहा है कि यह कानून उनके



रामिश सिद्दीकी



खिलाफ है या फिर इससे उनका अहित हो सकता है। यह एक सोचा-समझा कुप्रचार है। यह कुप्रचार बार-बार के इस स्पष्टीकरण के बाद भी जारी है कि देश के किसी भी नागरिक को न तो नागरिकता कानून से डरने की जरूरत है और न ही प्रस्तावित एनआरसी से। यदि नागरिकता कानून और प्रस्तावित एनआरसी को लेकर सबसे ज्यादा आशंका मुस्लिम समाज के बीच है तो इसका एक बड़ा कारण मुस्लिम समाज का नेतृत्व है जो अपने लोगों को सही जानकारी देने के बजाय उन्हें बरगलाने और उनमें असुरक्षा की भावना भरने का काम कर रहा है। राजनीतिक स्वार्थ के चलते मुस्लिम समाज को किस्म-किस्म के खतरों का भय दिखाकर उसे सड़क पर उतारने का काम एक लंबे अरसे से होता चला आ रहा है। यह अभी भी हो रहा है। यह नकारात्मक राजनीति तो बर्बादी का रास्ता है। दुर्भाग्य से यह नकारात्मक राजनीति शिक्षा संस्थानों में भी देखने को मिल रही है। नकारात्मक राजनीति में फंसा कोई समाज ढंग से तरक्की नहीं कर सकता। समाज को समृद्ध करने वाले शिक्षा संस्थान आज राजनीतिक टकराव और अशांति का केंद्र बन रहे हैं, जबकि इस्लाम में शांति को सबसे बड़ी अच्छाई कहा गया है। शांति के माहौल को कमजोर करने वाली किसी भी चीज का इस्लाम में कोई स्थान नहीं है। मानव इतिहास

साक्षी है कि शांति का माहौल और सकारात्मकता दुनिया में प्रगति और विकास का आधार है। इस्लाम की शिक्षाओं का सार यही है कि जिस समाज में अशांति होगी वहां लोग सामान्य गतिविधि में संलग्न नहीं हो सकते। भारतीय मुसलमानों को सकारात्मकता की डोर थामने की जरूरत है और साथ ही ऐसे खुदगर्ज नेताओं से खुद को बचाने की भी जिन्हें समाज की कम और अपने स्वार्थ की चिंता ज्यादा है। पैगंबर मुहम्मद साहब ने ज्ञान प्राप्त करने पर बहुत अधिक जोर दिया और उसे सभी के लिए जरूरी बताया, लेकिन आज मुस्लिम समाज में शिक्षा की कमी का मसला बार-बार उठता है। ऐसा क्यों है, इस पर आम मुसलमानों को ही सोचना होगा, क्योंकि उनके तथाकथित नेता तो इस पर विचार ही नहीं करना चाहते।

जितना जरूरी ज्ञान हासिल करना है उतना ही नकारात्मक विचारों से दूर रहना। पैगंबर साहब का सबसे ज्यादा जोर शांति पर था। एक अवसर पर पैगंबर साहब और उनके साथी उग्रह के लिए मदीना से मक्का की ओर रवाना हुए, लेकिन रास्ते में उन्हें हुदैबिया नामक स्थान पर रोक दिया गया। इससे हलालत तनावपूर्ण हो गए, क्योंकि मक्का में तीर्थयात्रा पर आने के लिए किसी को रोकना नहीं जाता था। इस रोक के बावजूद पैगंबर साहब ने शांति की बहाली को महत्व दिया और वह अपने विरोधियों के साथ शांति संधि पर हस्ताक्षर करने के लिए तैयार हो गए और वह भी तब जब संधि की शर्तें विरोधियों के पक्ष में थीं। इसे हुदैबिया संधि कहा गया। यह संधि केवल इसलिए संभव हो पाई, क्योंकि पैगंबर साहब ने शांति को सर्वोपरि समझा। यह प्रसंग इस्लाम में शांति के महत्व को दर्शाता है। आमतौर पर लोग कहते हैं कि पहले न्याय मिले फिर शांति आएगी, लेकिन हर कीमत पर शांति इस्लाम का प्रमुख सिद्धांत है। समाज में जब शांति होगी तभी सभी समस्याओं के हल का अवसर मिल सकता है। आज क्या हो रहा है? उग्र और अराजक विरोध का सहारा लिया जा रहा है। आखिर सड़कों पर उतरने कितने लोग जानते हैं कि नागरिकता कानून किसके लिए है? अशांति फैलाने वाले केवल अपनी ऊर्जा ही जाया नहीं कर रहे, बल्कि उसे दूसरों के हित में इस्तेमाल करने के साथ ही अपनी छवि से भी खेल रहे हैं। मुस्लिम समाज को समझना होगा कि यदि वह नकारात्मकता को नहीं त्यागता तो वह अपनी अज्ञानता से उपजी असुरक्षा की भावना से बाहर भी नहीं आ सकता।

(लेखक इस्लामिक मामलों के जानकार है)

response@jagran.com



ऊर्जा

भिक्षालय

यह दृष्ट संसार अनेक प्रकार के याचकों अथवा भिक्षारियों का एक बड़ा अभिनय स्थल है। वहां भांति-भांति के अभिनयों एवं भाव-भौमियाओं द्वारा मनुष्य अपने जीवन यापन के तरीके ढूंढता रहता है। बिना प्रभुकृपा के न उसे अच्छा परिेश्व मिल सकता है, न कुछ अच्छा करने की प्रेरणा ही। जीवनपर्यंत विगत कर्म का लेखा-जोखा उसे वही-वही करने को उतरेरिण करता रहता है जो-जो उस कर्म के तहत उसे करना होता है। बार-बार अज्ञानता के अहंकार एवं अंधकार में डूबा जीव अथवा मनुष्य हर अच्छे काम का श्रेय स्वयं को देने का भ्रम करता रहता है, लेकिन इस रहस्य से प्रायः अनभिज्ञ रहता है कि यदि किसी भी प्रभुकृपा के न उसे सफल काम का मूल केवल वही है तो फिर वह कार्य उसके जीवन की इतनी लंबी अवधि बीतने पर भी पहले क्यों नहीं संपन्न हुआ? भिखारी जीव ईश्वर से जब-तब याचक बन कुछ न कुछ मांगता रहता है। उन्हीं की अनुकंपा से कुछ पाकर इतरता है और अपनी अज्ञानावस्था स्वयं को कर्ता मानता रहता है। जब-जब कर्त से प्राप्त कीवशा मनुष्य अपने लक्ष्य को छल-बल से भाव करना चाहता है तो लक्ष्य उससे उतना ही दूर होता चला जाता है और परेशानियां मुफ्त में उसकी चालाकियों का परीक्षण करने के लिए तैयार रहती हैं। प्रभुकृपा का याचक व्यक्ति कोई भी कार्य कर्ताभास से नहीं करता, बल्कि याचना के उपातों मिले किसी भी प्रकार के प्रभु निर्णय को ही अपना प्रारब्ध मान वह निष्काम भाव से अपने अभीष्ट की ओर अग्रसर होता चला जाता है। निष्कंटक पथ में स्वयं लक्ष्य अपने को उसे सौंपने को तत्पर रहता है। प्रभु अपने भक्त के लिए सुनिश्चित मार्ग में बाधाएं अथवा कष्ट झांकने का भी साहस नहीं जुटा पाती।

इस संसार रूपी भिक्षालय में भिक्षुक वन प्रभुकृपा के पुण्य-प्रसाद से कोई भी रंक राजा बनने का गौरव हासिल कर सकता है। इसके विपरीत संपूर्ण वैभवों से परिपूर्ण नृप भी मानसिक रूप में भिक्षुक सा जीवन जीने के लिए विवश हो सकता है।

प्रो. दिनेश चमोला 'शैलेश'

## मेलबाक्स

है। दोनों सामी धर्म हैं और अपने प्रचार-प्रसार में संलग्न भी। अतः उनकी टकराहट स्वाभाविक है, परंतु भारतीय परिस्थितियों में मुस्लिम आग्रजन पर पाबंदी नहीं लगाई जा सकती, क्योंकि आजाद भारत सभी धर्मों को समान दृष्टि से देखता रहा है। 'वसुधैव कुटुंबकम्' तथा 'सर्वधर्म समभाव' इस संस्कृति की विशेषता है। मेरी मुख्य आपत्ति शंकर शरण द्वारा भारत को 'हिंदू राष्ट्र' एवं 'दुनिया का एकमात्र हिंदू राष्ट्र' कहने और 'भारत की आत्मा और नित्योत्ति के हिंदू धर्म से जोड़ने' पर है, क्योंकि इस देश की आजादी में अपने प्राणों की आहुति देने वाले शहीदों, राष्ट्र की नींव तैयार करने वाले दूरदर्शी संविधान निर्माताओं ने धर्म को भारत के निर्माण का आधार नहीं माना था।

अनुराग यादव, नेहरू विहार, नई दिल्ली

## देश प्रेम सर्वोपरि

नागरिक संशोधन कानून का कुछ स्वास्थ्य किस्म के लोग विरोध कर रहे हैं। किसी भी बात का समर्थन अथवा विरोध करना हमारा अधिकार है। क्या कोई भी कानून हमको सार्वजनिक वाहनों, इमारतों, किसी व्यक्ति विशेष को अथवा किसी भी प्रकार से जान-माल की हानि पहुंचाने का अधिकार देता है? शिक्षित वर्ग खासकर विद्यार्थियों को राजनीतिक फायदे के लिए मोहरा बनाया जाता है। विद्यार्थियों के बीच कुछ असमाजिक तत्वों के पकड़े जाने से यह पता चलता है कि हम अपराधी किस्म के लोगों की चक्रव्यूह का शिकार हो रहे हैं। कितने उपद्रवियों को तो यह भी नहीं पता की हम विरोध कर किस बात पर रहे हैं। हिंदू, मुस्लिम, सिख, इशाई भाई-भार के साथ रहते हैं। कई मुस्लिम

गुरुओं ने भी इस बिल को ठीक मानकर लोगों से शांति की अपील की है जो देश के आपसी प्यार और भाईचारे के लिए अच्छी बात है। वहीं ऐसे स्वास्थ्य किस्म के लोगों से अपने समाज को सुरक्षित रखने की जिम्मेदारी हम सब की बनती है। धर्म तथा जाति से पहले देशप्रेम है।

अचार्ज राम कुमार बघेल, पलवल

## मंथन करने की है जरूरत

नागरिक संशोधन कानून और एनआरसी के विरोध में छात्रों द्वारा शुरू हुआ आंदोलन अब एक समुदाय के आंदोलन में तब्दील होता दिख रहा है। छात्रों की आड़ में हिंसा, आगजनी और सार्वजनिक संपत्तियों का नुकसान किया जा रहा है। जिस देश के लिए लड़ रहे हैं, उसकी ही संपत्ति को नष्ट भी कर रहे हैं। जामिया में पुलिस की बर्बरता बहुत ही निंदनीय है। इस पर जांच जरूरी है, लेकिन विरोध के दौरान सार्वजनिक संपत्तियों को नुकसान पहुंचाने वाले लोग भी किसी अपराधी से कम नहीं हैं। लड़ाई कानून को लेकर है इसे दो समुदायों की लड़ाई न बनाया जाए।

आशीष, दिल्ली विश्वविद्यालय

इस संतभ में किसी भी विषय पर राय व्यक्त करने अथवा दैनिक जागरण के राष्ट्रीय संस्करण पर प्रतिक्रिया व्यक्त करने के लिए पाठकगण सादर आमंत्रित हैं। आप हमें पत्र भेजने के साथ ई-मेल भी कर सकते हैं।

अपने पत्र इस पते पर भेजें : दैनिक जागरण, राष्ट्रीय संस्करण, डी-210-211, सेक्टर-63, नोएडा ई-मेल: mailbox@jagran.com



